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ABSTRACT

One part of a three-part investigation prepared for the Montgomery County Planning Board in Silver Spring, Maryland, this study addresses planning and site planning issues arising from the location of child care facilities in residential settings. The study, which emphasizes homes and centers which care for 7 to 20 children, provides a detailed analysis of the impact of child care facilities in residential zones. Section I establishes that Montgomery County had an increased number of working parents needing child care services and insufficient facilities to serve them. Zoning codes, development review criteria, and licensing practices of the Montgomery and Washington D.C. areas are analyzed in Section II. Section III summarizes results of a survey of 8 providers operating centers in their own homes and 3 offering care in centers not used as residences, 17 neighbors of providers, and 79 parents of enrolled children. Also conducted were parent transportation surveys and cost analyses derived from visual analyses of facilities. Section IV evaluates current site planning minimum requirements and proposes site planning guidelines to address issues such as signs, parking, landscaping, fences, barriers, play areas, and site development. Section V offers recommendations. Several site plan sketches are included and related materials, such as a glossary, extensive data tables, survey instruments, and county zoning ordinances, are appended. (RH)

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SMALL CHILD CARE FACILITIES IN RESIDENTIAL AREAS

Prepared for
The Maryland-National Capital Park and Planning Commission

**Child Care Management Resources
Giegerich & Associates, Inc.
John Elicker, Architects**

Edited by Urban Interdependencies

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CHILD CARE FACILITIES IN RESIDENTIAL AREAS

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PREFACE

The following study, Small Child Care Facilities in Residential Areas, is one section of a three-part study prepared for the Montgomery County Planning Board in Silver Spring, Maryland. The other two components of the study are Child Care in Commercial Settings and Child Care in Park Settings. The study is part of the comprehensive review of the child care elements of the local zoning ordinance.

The study addresses a variety of planning and site planning issues arising from child care facilities located in residential, commercial, and park settings. Although this study was conducted for the Montgomery County Planning Board, the original intention was that it would also be read and utilized by urban and child care planners, current and potential child care providers, and public and private sector developers.

In January 1985, the Montgomery County Planning Board adopted a child care policy in response to County Executive Charles Gilchrist's policy regarding Child Care Services in Montgomery County. The Montgomery County Planning Board agreed to work in partnership with other public agencies "to enable, support, and enhance the provisions of child care services through the private sector." The Planning Board agreed to address child care in the following three areas: community land-use planning, utilization of the park system, and its role as an employer. This three-part report addresses parts of the first two sections and not the last section related to its role as an employer.

The three studies of child care in residential, commercial, and park settings were conducted by Child Care Management Resources, Giegerich & Associates, Inc., and John Elicker, Architects. Jody S. Kline of Miller, Miller & Canby provided legal review. The two outside readers for the project were Jacquie Swaback of Urban Interdependencies (Sacramento, California) and Gwen Morgan of Work/Family Directions (Wheelock College, Boston, Massachusetts); Jacquie Swaback also helped to edit the final copy. The technical officer for the project was Gail A. Price, a community planner with the Montgomery County Planning Board. Patrick Hare, also a community planner with the Montgomery County Planning Board, provided valuable guidance and critiques of the reports throughout the process. An advisory group, the M-NCPPC Child Care Group, was composed of Montgomery County Planning Board staff, Montgomery County agency representatives, representatives from the child care community; and consultants provided advice and support during the contract period.

The Montgomery County Council provided funding for the three child care studies. The studies were conducted during the summer and fall of 1986. The results of the three studies will be presented to the Montgomery County Planning Board in early 1987. A list of the members of the M-NCPPC Child Care Group and a copy of the Montgomery County Planning Board's Child Care Policy follows.

M-NCPPC CHILD CARE GROUP

The Maryland-National Capital Park and Planning Commission:

Perry Berman, Chief, Community Planning-South

Joe Davis, Planning Coordinator, Development Review Division

Rick D'Arienzo, Planner I, Park Planning Division, Department of Parks

Patrick H. Hare, Community Planner III, Community Planning-South

Rick Hawthorne, Transportation Planner, Transportation Division

Renee Kemp-Rotan, Principal Urban Designer, Urban Design Division

Gail A. Price, Community Planner I, Community Planning-South

Tanya Schmieler, Planner III, Park Planning Division, Department of Parks

Montgomery County Government:

Margaret Braun, Licensing Coordinator, Division of Licensure and Regulatory Services, Department of Health

C. Bennett Connelly, Chief, Division on Children and Youth, Department of Family Resources

Margaret Cudney, Public-Private Strategies Coordinator, Department of Economic Development

Anne Goldstein, Project Director, Montgomery College Child Care Technical Assistance

Dr. Robert Posilkin, Joint Occupancy Coordinator, Department of School Facilities, Montgomery County Public Schools

Marcia Sprinkle, Project Coordinator, Montgomery College Child Care Technical Assistance

Dr. Joan Wilson, Director, Children's Resource Center, Department of Family Resources

Child Care Community:

Frances L. Abrams, Executive Director, child Care Connection, Inc.

Harriett Berger, Organization of Child Care Directors

Pam Humphrey, Organization of Child Care Directors

Joyce Devilbiss, President, Family Day Care Association of Montgomery County

Consultants:

Carol Ann Rudolph, President, Child Care Management Resources

John Elicker, Principal, John Elicker Architects

Terry Holzheimer, Associate, Giegerich & Associates, Inc.

Sally Roman, Associate, Giegerich & Associates, Inc.

Montgomery County Planning Board

Policy Statement (January 1985)

Child Care Services in Montgomery County

We support County Executive Gilchirist's recent Policy Summary on Child Care Services in Montgomery County and agree to work in partnership with other public agencies "to enable, support, and enhance the provision of child care services through the private sector."

The accessibility of child care facilities and the availability of appropriate transportation and recreational opportunities are important elements of our community planning effort. We will continue to work with other public agencies and private citizens to address child care issues.

The role of M-NCPPC in Montgomery County includes community land use planning, approval of development proposals, and development and management of the park system. M-NCPPC is also a major employer in the County. In its various capacities, the Montgomery County Planning Board will address the following issues related to child care services:

Community Land Use Planning:

- Provide demographic data by census tracts and planning areas.
- Support appropriate expanded use of public buildings for child care.
- Consider child care needs in the review of the zoning ordinance, including a review of existing standards related to child care and an exploration of the possible incentives that might be provided for developing new facilities for child care.
- Incorporate child care needs in community facility planning and in recommendations for updating of the Master Plans in Montgomery County.

Park System:

- Explore additional use of Park property and buildings as potential sites for child care.
- Support the development of innovative play areas.

As an Employer:

- Investigate and address the child care needs of our employees.
- Encourage a Commission-wide initiative to assist our employees in meeting their child day care needs.

EXECUTIVE SUMMARY

Small Child Care Facilities in Residential Areas was completed for the Montgomery County Planning Board. It gives a detailed analysis of the impact of child care facilities in residential zones, emphasizing homes and centers which care for 7-20 children, and to suggests guidelines to aid in the establishment of child care facilities.

Section I notes that Montgomery County has an increasing number of parents in the paid work force who need care for their children while they are working, and that there is a growing unmet need of facilities to care for these children. There are few large child care homes (7-12 children) or small child care centers (13-20 children) in the residential zones.

In Section II zoning codes, development review criteria, and licensing practices were analyzed for the Montgomery/Washington D.C. area. Some findings include the following:

- All child care facilities for seven or more children in Montgomery County are required to get a Special Exception through the Board of Zoning Appeals in all residential zones;
- The Special Exception process provides an opportunity for the Montgomery County Planning Board to comment upon child care facility site development plans, and to review the compatibility of the proposed land-use with the surrounding community; and
- There is a need to establish minimum site planning standards related to child care facilities.

It is recommended that, as local jurisdictions update their laws and regulations, they especially consider the possible expansion of Permitted Use zoning and the clarification of what specific conditions need to be met for a Conditional Use Permit. This would enable quality child care and neighborhood concerns to be met in a more timely and cost-effective manner.

The survey results are summarized in Section III.

Eleven child care facility operators, 8 operating centers in their own homes and 3 in facilities not used as residences, 17 neighbors, and 79 parents of the children were interviewed in various jurisdictions in the Washington Metropolitan area. In addition, parent transportation surveys were conducted at fifteen sites. In addition, visual analyses of six child care sites were done, and a typical cost analyses was developed. The following summarizes some of the findings:

FINDINGS

Survey of Operators:

- Only one of the eleven child care operators had significant opposition at a zoning hearing during the initial establishment of the center, and that was resolved;
- Only 29 percent of the children served in a typical center reside within a ten block radius of the facility;
- Seven of the eleven child care operators provide transportation for field trips and to and from nursery schools or nearby public schools;
- Children play most frequently on the play lot on the provider's property; and
- Approximately 93 percent of the children arrive at the child care center by automobile.

Survey of Neighbors:

- Seventy-one percent of the neighbors surveyed stay home most or part of the day during the week;
- More than 88 percent of the neighbors responded positively or enthusiastically about having a child care center in their neighborhood;
- All neighbors indicated that there were no vandalism or litter problems attributable to the operation of the child care center;
- Neighbors did not report any significant increase in the noise level in the neighborhood related to the establishment of the child care center;
- More than 94 percent of the neighbors indicated that traffic had increased only slightly or not at all since the center was established; and
- Only one of fifteen property owners indicated that they felt that the child care home would have a negative impact on the resale value of their property, and one felt that it would have a positive impact;

Survey of Parents Regarding Transportation:

- Seventy-six percent of the parents in the larger child care facilities, and 64 percent of those in the smaller, made no stops on their trips to or from the child care facility;

- At the larger child care facilities, 86 percent were delivering only one child, as compared to 88 percent of those in the smaller child care facilities;
- Ninety-eight percent of the parents in the small centers, and 100 percent of those in larger centers, indicated that they do not participate in a carpool;
- The vast majority of parents indicated that they drive two trips each day and ten trips each week to the child care facility;
- The majority of parents in both size categories assessed the parking at their child care facility as good, with only six percent describing it as difficult or extremely difficult;
- In both categories of facilities the majority of parents indicated that the parking difficulty was the same in the morning as in the evening;
- The majority of parents in both size centers believed that the facilities were very safe relative to traffic safety, with only two of the seventy-nine respondent parents indicating an unsafe situation;
- The majority of parents were happy with the location of the facility their children currently attend. Of the twenty parents who were dissatisfied with the current location, fifteen indicated a preference for a location closer to their home; and
- There was a substantial range in the children's ages in both sizes of child care facility; however, the median ages were five years for the larger facilities and three years for the smaller facilities.

Survey of Traffic Impact:

- The amount of traffic generated at each facility was minimal, and the distribution of traffic was even throughout the day;
- Average vehicle occupancy, including the child care participant, was 2.7 in the morning and 2.3 in the evening; only one parent was in a carpool arrangement.
- The number of cars parked at the smaller facilities ranged from two to six in the morning and one to seven in the afternoon; and
- No significant backup of cars picking up or delivering children was observed.

Physical Site Analysis:

- There was little problem with accommodating the indoor and outdoor space required for a child care home on a typical single-family residential lot;
- All sites are spatially organized in a similar manner with the rear yard fenced for outdoor play, away from the street and buffered by the house, minimizing impact from and on the street;
- No parking problems existed at any of the sites, with adequate spaces available for cars on private driveways or on-street in the immediate vicinity of the facility; and
- Facilities were relatively unobtrusive and provided only minor, if any, negative impacts on the surrounding residential uses.

Cost Analysis:

- Start-up costs included modifications to the structure and grounds, equipment and professional services;
- Costs varied for each facility;
- Most costs were a result of licensing and regulatory requirements; and

In summary, of all of the surveys, it was found that none of the child care facilities had a significant negative impact on the surrounding residential neighborhood. All of the centers were physically compatible and visually unobtrusive. Neighbors reported that centers did not create noise, trash, or parking problems. Minor traffic problems were noted in some cases, although none of the centers caused significant traffic impacts.

In Section IV, current site planning minimum requirements were analyzed and site planning guidelines proposed to address a variety of issues including signage, parking, landscaping, fences/barriers, play area, and site development.

Section V used the data gathered in Sections I-IV as a basis for the following recommendations:

- The necessary research to establish site planning standards and guidelines which will modify the zoning process related to child care facilities in Montgomery County;
- Reaffirm and refine public policy so that it reflects public support of families who want to be financially responsible for their family members and so that it

reflects a balance of the rights of children for adequate care with the rights of property owners;

- Develop "A Layperson's Guide and Checklist for Establishing Child Care Facilities" which could be used for all sizes of child care facilities in residential, commercial/office, and park settings.

In addition to the surveys conducted at the centers, interviews were conducted with numerous staff members of the Montgomery County Planning Board, the Montgomery County Government, and several members of the child care community who served on the M-NCPPC Child Care Group.

Based upon conclusions drawn from the surveys and analyses, several areas for further research have been identified. The study suggests there is an apparent need to provide minimum site planning standards for use by prospective providers, planning staff, and members of the Board of Appeals in order to facilitate review of special exception applications for small child care facilities. Some modifications of the regulations or the regulatory and zoning processes could facilitate the establishment of small centers in residential zones; a refinement of these processes could further implement child care public policies supporting additional child care resources.

Section I

INTRODUCTION

A. PURPOSE:

This study analyzes the impact of small child care facilities in residential zones. Child care has traditionally been provided in residential areas, primarily by families and primarily for six or fewer children per home. However, as more parents began to work outside the home, the methods of providing child care have to changed. Within Montgomery County, there are only four licensed child care centers serving seven to twenty children, in residential zones. This study focuses on child care facilities for 7 to 20 children.

The principal objectives of this study are the following:

- To determine the impact of child care facilities on the immediately surrounding residential areas;
- To analyze the Montgomery County zoning regulations and suggest appropriate modifications as a result of the study findings; and
- To suggest guidelines for child care facilities' site development that enhance the growth of children as well as minimize potential negative impacts on the surrounding area.

While these three objectives represent the overall focus of the analysis, there are a number of sub-elements of the study. The purposes of these are as follows:

- To provide information for future child care planning activities;
- To identify other licensing and regulatory controls which may unnecessarily impede the development of child care facilities; and
- To review the cost implications of the regulatory requirements on the establishment of child care facilities.

B. TERMINOLOGY:

One of the most difficult elements of the entire analysis has been the inconsistent and conflicting terminology used throughout the child care field. Virtually every local government jurisdiction and each state uses differing terms for facilities of various sizes. For the purposes of this study, the terms described below are used throughout in order to provide some clarity

and preciseness in reference to child care facilities of differing sizes. A more complete and detailed glossary is provided in Appendix A.

Child Care Facilities: a general term used in reference to the provision of care for any number of children; child care homes accommodate fewer than 12 children, and child care centers accommodate 13 or more children.

Small Child Care Home (SCCH): a facility providing child care for 6 or fewer children usually in a residence. Within Montgomery County, these are referred to as family day care homes.

Large Child Care Home (LCCH): a facility providing child care for 7 to 12 children. (Also referred to as a "small group day care center" by the Montgomery County Dept. of Health.)

Small Child Care Center (SCCC): a facility providing child care for 13 to 20 children.

Large Child Care Center (LCCC): a facility providing child care to 21 or more children, usually in a non-residential building.

These definitions are not technical terms and are not directly related to licensing and regulatory processes.

C. CHILD CARE NEEDS:

Child care needs are growing so rapidly in Montgomery County that the child care demand substantially exceeds the supply. One significant indication of current demand is the County's child care information and referral system, the Child Care Connection, which receives up to fifty calls a day from parents needing child care services. Most are seeking care for infants and toddlers. This unmet need should be viewed against the backdrop of expanding supply.

During the period 1982-1986 there has been over a four-fold increase in the number of Special Exception applications filed for child care facilities in residential areas. The increase has been for three reasons. First, the child care sector is responding to increasing needs for child care facilities. Secondly, the reduction in the gross parcel size requirements from 1,000 to 500 square feet per child (Text Amendment 85-009, Ordinance 10-66) for centers serving more than forty children has made land costs less prohibitive. Additional large centers are opening within the northern portion of the County since larger tracts of undeveloped land are more available there. Thirdly, child care space in facilities not requiring Special Exceptions has become saturated.

Montgomery County has a larger percentage of working mothers than the national average. Fifty-one percent of the mothers in Montgomery County with children under six years of age are employed, as compared with 45 percent, nationwide according to a recent report from the Metropolitan Washington Council of Governments.

There is every indication that the numbers of working mothers are increasing and there will be a growing demand for child care services in Montgomery County. In order to meet these community needs, Montgomery County should continue to work to increase the supply of child care facilities.

D. Organization of This Study:

Many parents utilize small child care facilities, and because there are few existing centers serving from 7 to 20 children in Montgomery County. The study begins with an analysis of the Montgomery County zoning, licensing, and regulatory process relating to the establishment of child care facilities for 7 to 20 children in single-family homes. The Montgomery County process is contrasted with those of other surrounding jurisdictions in the Washington Metropolitan area.

The next section analyzes data from surveys of eleven small day care facilities in several areas within or near Montgomery County. The analysis includes interviews with child care providers, parents, and neighbors in the vicinity of the facilities. It also contains a visual analysis of six facilities and a traffic and parking analysis of fifteen centers.

The third major study area is the preparation of minimum site planning standards and site planning guidelines to be used in the review of child care facilities as they relate to the licensing and regulatory process. Both statutory and regulatory concerns are discussed, and recommendations are made.

The final section highlights areas for further study and suggests possible modifications of the regulatory process.

Section II

ZONING, DEVELOPMENT AND LICENSING REVIEW CRITERIA

This section summarizes current zoning regulations as they pertain to child care facilities in Montgomery County, Maryland, and other Washington D. C. area jurisdictions. Within Montgomery County, the cities of Rockville and Gaithersburg and some smaller taxing districts have independent planning and zoning authority over land within their boundaries. The licensing and other regulatory processes of various jurisdictions are also reviewed in order to add context to the zoning analysis.

The study shows that Chapter 59 of the Montgomery County Code, 1985, as amended (hereinafter called the Zoning Ordinance) designates "group day care," usually seven more children, as a Special Exception Use in most residential zones. This is common practice within the region. Both locally and nationwide, however, many jurisdictions are updating and revising their zoning codes and using Conditional Use Permits rather than a Special Exception for small "group day care centers." For reference purposes, excerpts from the Montgomery County Zoning Ordinance concerning special exception petitions, authority, and procedures are attached in Appendix B.

A. ZONING:

A.1. Background:

Child care in residential zones is regulated by local and state law, reflecting society's concern for both the welfare of minor children and the overall community. Government regulation typically includes a variety of licensing and zoning requirements which must be met to open a child care facility. When a prospective provider contacts the local government to begin the approval process, among the first questions which must be answered is whether or not child care is a permissible use on the site and what conditions and procedures must be followed to conform to the zoning ordinance. If zoning approval exists by right or is obtainable, the various licensing and approval processes can begin.

Authority for zoning is usually delegated to local governments by the states and serves several purposes. Karen Lee, of the University of New Haven, defines its purpose as "to protect the health, safety, and general welfare of the community."^{1/} A paper

^{1/} Karen S. Lee, "The Effect of Local Zoning Codes on the Establishment of Child Day Care Services in Connecticut", PA 690 (University of New Haven, May 1983) p. 18.

by Sean Scott states that the goal is "to regulate the pattern and consistency of local land use and to ensure that new development efforts do not have a negative impact on the surrounding environment."^{2/} These purposes are not only directed to the immediate needs of the users of the site, but also to the protection of the welfare of the society at large by promoting orderly development and preserving the quality of life in the jurisdiction. As a result, conflicts may arise between the needs of specific users (in this case children, their parents, day care providers), and the needs of society as a whole. In addition, social changes, such as the rapid growth in the number of working mothers, may create temporary conflicts until laws are changed to reflect them. We need to find ways to balance the rights of property owners with the rights of children to have adequate care.

Currently, specific land uses are authorized in one of three basic ways in most zoning ordinances in the Montgomery County area. Uses may be Permitted by Right, designated as Special Exception uses, or prohibited. Details vary from one jurisdiction to another, and recommended changes are at the end of this section and in Section V.

Basically, Permitted by Right (Permitted Use) uses are directly compatible with the zoning of the land. In single-family zones, for example, single family houses, religious institutions, and fire stations are generally Permitted by Right. In addition to the principal use, Accessory Uses, are often permitted. These are uses which are "customarily incidental and subordinate to the principal use of the property," according to Section 59-A-2.1 of the Montgomery County Zoning Ordinance. Examples of Accessory Uses in residential zones might include separate garages, storage buildings, employee's quarters, or child care facilities for six or fewer children. Other terms which are sometimes used in place of "Permitted by Right" are "Permitted Use," "By-Right," and "Compatible Zoning." Permitted Uses are usually subject to development standards as to size, setbacks, height and similar requirements. They may also be subject to specific conditions or to site plan or development review by the appropriate governmental body.

Special Exception uses are allowed in a given zone only when certain conditions are met, a public hearing has been held, and a designated governmental body grants specific permission. These uses often have particular social value or extraordinary impact on standard zones. They range from housing for the elderly to automobile filling stations and can include larger child care facilities in a variety of zones.

^{2/} Sean M. Scott, "Regulatory Barriers to Neighborhood Development: The Regulation of Day Care" (Prepared for the Neighborhood Revitalization Project, American Enterprise Institute for Public Policy Research, May 1982) p. 3.

Most jurisdictions have general conditions which must be met for all special exception uses such as those outlined in Section 59-G-1.21 of the Montgomery County Zoning Ordinance (see Appendix B). In addition, there are often special conditions applicable only to a specific use, as illustrated by Section 59-G-2.13 of the Montgomery County Ordinance (see Appendix C). Special exception uses are also referred to as "Special Use Permits," "Conditional Use Permits, or "Special Permit Uses." Care must be taken to review the definitions of the specific zoning ordinance under consideration, for the definitions and approval processes do vary (Fairfax County is one example).

Since some uses are specifically prohibited in certain zones, it is important to carefully review each ordinance separately. Each zoning ordinance has a separate format, definitions, and methods of designating a variety of uses. In some cases, uses are not permitted if they are not listed as Permitted by Right or as Special Exceptions in the zone. It is necessary to review the specific zoning ordinance and check with the appropriate officials to ensure that unlisted uses are not permitted or treated as part of a related category of uses. For example, Loudoun County does not refer to child care in its ordinance but treats this use as a subcategory of private school.

Child care is more and more frequently viewed as a benefit to the entire community. When a child care facility is proposed for a neighborhood, however, some of the residents may see it as potentially conflicting with the preservation of their way of life and the value of their property.

Because the use of child care facilities for a wide spectrum of society is a relatively new phenomenon, the zoning laws of many jurisdictions are being amended to accommodate the current realities of child rearing in the United States. A number of states have recently updated their laws to facilitate the provision of child care. Two of these are California and Minnesota, while others, such as Connecticut and Massachusetts, have recently considered changes in the enabling legislation for zoning for child care. In the Washington metropolitan area, Fairfax County, Virginia, and Gaithersburg, Maryland are in the process of updating the child care provisions of their zoning ordinances. Prince George's County, Maryland recently enacted zoning text amendments for this purpose.

A.2. Standards:

A survey of the zoning regulations of eleven jurisdictions, including Montgomery County, Maryland, was conducted during mid-1986. The study summarized the permissibility of child care in residential, commercial, industrial, and a variety of special zones in each of these jurisdictions. Zones were grouped by primary land use and no attempt was made to compare regulations governing lot size, building height, or setbacks. Residential zones were divided into four categories: rural or agricultural

zones, single-family zones, townhouse zones, and multi-family zones, as shown in Table 1 (see Appendix D).

While specific zoning provisions vary from jurisdiction to jurisdiction, several generalizations can be made. Each jurisdiction regulates child care in its zoning ordinance in some fashion. Only one, Loudoun County, Virginia, does not identify child care facilities as a specific use.

In almost every case, child care facilities in residential zones are a Special Exception use. This means that, in order to open a child care facility in a residential zone, it is necessary to go through the Special Exception process to obtain official permission. This process generally involves submitting a detailed application with certain proofs as to the impact of the proposed use and the payment of an application fee to the appropriate governmental body, usually the Board of Zoning Appeals or Board of Appeals. A public hearing is usually required, followed by a decision by the appropriate governmental body.

A Special Exception application is reviewed to make sure certain general and specific conditions are met. These conditions are summarized in Tables 3A - 3K (see Appendix D). The level of enrollment which triggers the Special Exception process ranges from 4 children in Arlington, Virginia and Frederick County, Maryland to seven in Howard County, Maryland. Child care facilities are permissible by right in some residential areas in three jurisdictions: Frederick County, Maryland, child care is permissible in townhouse and multi-family zones with development review; in Loudoun County, for up to 15 children where the regulations covering private schools are interpreted to include some child care facilities; and in certain zones in the District of Columbia. Several jurisdictions exempt child care facilities in churches or schools from zoning regulation.

In Montgomery County, Maryland, child care facilities for 7 or more children (referred to as "Group Day Care Centers" in the ordinance) are a Special Exception use in all residential zones except the R-4-plex zone and the mobile home zone where they are not permitted. Child day care for six or fewer children (family day care) is permitted in all residential zones except the R-T (Residential Townhouse) Zone where child care for 4 or fewer children is permitted.

Threshold at which the Special Exception must be obtained is the point at which the provider wishes to care for seven or more children (except in the townhouse zones where a Special Exception is necessary to care for more than four children). Alexandria and Fairfax County, Virginia, divide the Special Exception process into two segments: each has a Special Permit process for facilities serving six or more children (six to nine children in Alexandria and six to 99 children in Fairfax), and another process if the enrollment is greater than the specified number. According to the local planners, the Special Permit process is

somewhat less time consuming and difficult for the provider than the more formal Special Exception process.

"Group day care centers" (7 to 20 children) and "nursery schools" (more than four children) are sometimes combined in local zoning codes (see Table 2). While there are many similarities in land use implications, the dissimilarities are in the impact of traffic and parking. In most cases, children are picked up and delivered to "group day care centers" over a period of several hours, according to the dictates of their parents' schedules. For example, the transportation survey described in Section III, found that the delivery and pick-up of children was spread over a two hour period in both the morning and evening.

Nursery schools, however, tend to begin and end at specific times and parents are required to conform to these times. This means that traffic is heavier and parking requirements higher at nursery schools for brief periods, usually around nine and noon, during the day.

The analysis of local Washington area zoning ordinances indicates that those jurisdictions which have not recently reviewed their zoning ordinances in regard to child care frequently take a piecemeal, rather than comprehensive, approach to that use. For example, definitions of child care change from section to section in some ordinances. Other inconsistencies, such as the inclusion of child care as a use in some zones while omitting all reference to it in other very similar zones, are also prevalent. In a few cases, zoning officials indicate that a lack of reference to child care in a specific zone appears to be inadvertent rather than deliberate. In order to rectify these problems, many zoning officials have expressed an interest in a comprehensive review of their zoning codes in the near future. Recommendations are given at the close of this section, Section V, and in Appendix E.

A.3. Terminology:

There are substantial variations in the terminology among the various jurisdictions. The Montgomery County Zoning Ordinance, Section 59-A-2, refers to a "group day care center" as a "child or elderly day care facility" and limits it to persons under 18 or over 60 years of age. A number of jurisdictions use the term "child day care center" or "child care home." Others terms used include "nursery school," "day nursery," "home day care facility," or "private school." One of the more unusual titles is "child development center" or "child development home" which is used in the District of Columbia. The variation in terminology makes comparison of provisions among jurisdictions difficult (see Table 2, and Appendix E).

The literature suggests some standardized terms; however, they have not been widely accepted. According to Karen Lee, a study by the U.S. Department of Health, Education and Welfare recommends the term "child care home" for 12 or fewer children in an occupied residence and "day care center" for 13 or more chil-

dren.^{3/} The study also noted "group homes" for seven to 12 children. An article in The Zoning Report suggests the terms "home based day care" for four to eight children in an occupied single-family dwelling, "intermediate day care" for four to 20 children, and "large day care center" for an unlimited number of children.^{4/} Each local jurisdiction should refer to the definitions used by their state laws since child day care is not defined in a standard, uniform way. The definitions and recommendations of this study may be used for reviewing and updating local zoning laws and processes (see Section V, Glossary, and Appendix E).

B. DEVELOPMENT REVIEW CRITERIA:

None of the jurisdictions studied has specific development review site planning guidelines as such, although each has conditions which must be met to obtain a special exception for a child care facility. These conditions fall into two categories: general conditions, which apply to all applicants for special exceptions, and special conditions specific to child care facilities. In many cases, these special conditions tend to serve as site plan-schedules. The Special Exception conditions for child day care centers in various jurisdictions are in Tables 3A-3K. The length and complexity of these tables are an indication of the various approaches separate jurisdictions can take in providing for a meticulous approach to "protecting the welfare" of their citizens and their property.

In general, child care facilities included as part of construction of new public buildings and portable modulars for child care on public property, including public school property, do not require Special Exceptions, although a mandatory review by the Planning Board is required by the Montgomery County Code (Article 28, Section 7-112, Annotated Code of Maryland). In order to comply with the current Montgomery County Zoning Ordinance, a child care facility serving 7 or more children, is either a Permitted Use or a Special Exception within a specific land use zone.

B.1. Conditions to be Met:

Most of the zoning ordinances surveyed have general requirements in three areas: (a) proof that the Special Exception use is consistent with the General Plan or Master Plan for the area involved; (b) proof that the use is in harmony with the character of the neighborhood with consideration to population density, design, scale, and bulk of new structures; intensity and character of activity; traffic and parking; and (c) proof that the use is not detrimental to the use, peaceful enjoyment, economic

^{3/} Lee, 44 - 45.

^{4/} Charles Reed, "Zoning for Child Day Care in Residential Zones," The Zoning Report, June 20, 1986, p. 2.

value, or development of the surrounding properties or the neighborhood. Most codes also specify that there be no objectionable noise, vibration, fumes, odors, dust, glare or physical activity. In addition, many require that there be no adverse effect on health, safety, security, morals, or the general welfare.

Recently, a number of jurisdictions have added a requirement that there must be adequate public facilities to serve the use, and also specify that the other requirements of the zone with regard to height, area, bulk, and setbacks be met. In addition, some jurisdictions also address parking and road capacity reviews. Finally, one requires that the exterior appearance of the center remain residential in character with suitable landscaping, screening, or fencing whenever practical in residential zones.

Special conditions address the needs of child care facilities more directly. A common condition requires the provision of ample indoor and outdoor play space which is also safe and accessible; many jurisdictions specify the number of square feet of total space per child enrolled. Rockville, Maryland's code specifies lot area based on the number of children enrolled. To reduce ambient noise, some areas require noise attenuation materials or set specific limits on the hours during which the outdoor play area may be used. Several localities address fire safety, and several jurisdictions, but not all, require that the child care center be capable of meeting applicable code and licensing requirements. Those ordinances which do not address noise, traffic, and parking in the general conditions, often refer to them in the special conditions.

The requirements for parking vary more than any other aspect of the zoning codes in the jurisdictions studied. Two of the communities have no specific requirements and report that this issue is handled as part of the Special Exception process. Others designate the number of spaces required by number of employees, children, classrooms, or square feet of usable floor area. If there are parking requirements, they often refer to the number of classrooms or teachers and seem to be designed to suit the needs of a free standing nursery school or child care center rather than a child care home or center in a residential area (see Table 4).

B.2. The Review Process:

Recent literature has focused on methods of facilitating the provision of child care and a number of innovative approaches have been proposed. These include making child care facilities an Accessory Use in religious institutions and publicly-owned school buildings, permitting them by right in all residential zones subject to conditions, permitting them by right in every zone subject to special exception only when hazards are common in the zone (as in industrial areas), and/or permitting them by right in all zones subject to conditions.

A June, 1986, Zoning Report article on "Zoning for Child Day Care in Residential Areas" observes that the trend is toward conditional, rather than exceptional use by altering the current common approach "from a special use to by-right with qualification."^{5/} Prince George's County, Maryland's approach is an example of this trend. In 1986, the Prince George's County Zoning Ordinance was amended to make "child day care" a use permitted by right, with conditions, in seven commercial and industrial zones where it had been a Special Exception use. This change requires that the use be allowed if the conditions are met. According to the County Council's Committee Report, "the bill was proposed to encourage day care centers to establish in areas to serve employees of office parks." It also eliminates the time and expense associated with the Special Exception process.

Although states have generally given authority for zoning to the localities, state law governs the use of that authority and can mandate specific zoning provisions throughout the state. California and Minnesota have recently exercised this power to make certain types of child care facilities a use permissible by right in residential zones, although conditions may be imposed. In California, the legislation affects large child care homes of seven to 12 children; in Minnesota the number is ten or fewer.

Not all state efforts have been as effective in facilitating child care opportunities. Legislation introduced in Massachusetts defining family day care as a permitted occupational use failed, and a preemptive statute that was passed by the Georgia legislature was subsequently judged unconstitutional under state law.

Baltimore County, Maryland, has enacted an interesting compromise approach bridging the gap between a Special Exception and Permitted by Right Use for Class A centers of up to 12 children in all residential zones but one. The code designates those "child care centers" as an Accessory Use for which the zoning commissioner can grant a use permit if the applicant files an application with site plan, pays a fee of \$5.00, and posts a sign on the property for 30 days. A public hearing and additional fees are required only if a hearing is requested by an occupant or owner located within 1,000 feet of the site.

The trend toward making child care a Permitted by Right with Accessory Use has significant implications for prospective providers. Because an accessory use may be implemented with fewer government reviews than a Special Exception Use, the process becomes more straightforward. One effect of this difference is reduced uncertainty of approval.

A more important factor is the time, effort, and cost involved in each process. A Special Exception generally takes at least two

^{5/} Ibid. p.7.

and a half months and may take four months or more. In Montgomery County, Maryland, there must be 60 days between the filing of an application and the public hearing, and depending on the case load, the time period may be much longer. A decision is generally made about 30 days later.

According to a spokesperson for the Montgomery County Board of Appeals, an application filed in December, 1986, would go to public hearing in April, 1987, with a decision within 30 days. This five month period from filing to a decision was said to be normal. The application fees for jurisdictions surveyed in this study range from \$10.00 to \$3,000, with \$100 a common figure. Fees in Montgomery County vary on the basis of the size of the proposed center and range from \$30 to \$700 dollars; for centers of 11 to 20 children, the fee is \$100.

Hearings are required for a Special Exception but not for uses Permitted by Right with conditions. In Montgomery County, Maryland, two hearings are held on Special Exceptions -- one before the Planning Board and one before the Board of Appeals. A hearing may be intimidating to some people and may discourage some applicants from applying. It is common practice to hire an attorney or consultant at an additional expense of up to \$3,000 (see Table 13).

Hearings may occasionally serve as a forum to air underlying neighborhood hostilities and disputes which have little relationship to the specific application. The consultants have witnessed such situations which occurred despite the best efforts of the presiding officials. In contrast to the Special Exception Process, designation as a Permitted Accessory Use, with or without conditions, streamlines the zoning process for the applicant and makes the government approval process more attractive to prospective providers.

C. LICENSING AND OTHER REGULATORY PROCESSES:

Although zoning and review criteria are the focus of this study, the licensing and regulatory process is closely related. To work well, each element should be designed to complement the requirements of the other elements of the process. For example, licensing regulations concerning the staff/child ratio affect site planning criteria regarding parking requirements and provide a logical basis for categorizing centers by size in the zoning ordinance.

C.1. Codes:

In Maryland, child care centers are licensed under state law and applicable local ordinances which are implemented by the health officer in each jurisdiction. In Montgomery County applications are evaluated in terms of the Code of Maryland Regulations and Chapter 10 of the County Code. The Code of Maryland Regulations (COMAR), applies to "Group Day Care Centers," which are child care facilities for seven or more children. It addresses most

physical and operational aspects of a facility. A simplified version of the current code is attached in Appendix F. COMAR addresses capacity, staff ratios, type and condition of the building, sanitary facilities, usable indoor and outdoor space, food preparation, health protection, and staff training. In addition, sometimes approvals must also be obtained from other appropriate officials, verifying compliance with zoning, building, electric, and fire regulations and codes. The National Fire Protection Association Life Safety Code adopted as a guide for building safety by states or counties, and the Montgomery County Fire Safety Code are both used to evaluate fire safety locally. Non-public nursery schools, kindergartens, elementary, middle, and secondary schools are licensed by the State Board of Education (Code of Maryland Regulations: 13A 09.09).

Prior to applying for a license, prospective applicants are required to have an office interview with a Department of Health Licensing coordinator to discuss the proposed center and the licensing procedure, and to receive a packet of materials about child care.

C.2. Costs:

Existing structures in established residential neighborhoods may be difficult and expensive to bring into compliance with codes and regulations so that a child care facility can be established. The average cost of renovations required to meet codes was \$8,900 in a 1982 study of centers in the District of Columbia.^{6/} The survey of operators in this study reported an average cost of \$1,344 (see Table 13 and Section III).

C.3. Need for Refined Codes:

The operators surveyed indicated a general recognition of the need for the requirements for licensing in the state and local codes. There is some apparent resistance, however, to specific fire and building code requirements which can be particularly expensive to meet, such as sprinkler systems and bathroom arrangements. Fire and building codes especially should be reviewed to determine if all requirements are necessary to protect the welfare of children and if alternatively, more cost effective methods of meeting the requirements are practical. In addition, site planning criteria and the zoning text should be examined carefully to ensure that they coincide, rather than conflict, with licensing requirements.

To address the complexities of the licensing and regulatory process, the Montgomery County Council's Office of Legislative Oversight recently completed a report An Evaluation of the Group Day Care Regulatory Process. (Report 87-1, March, 1987).

^{6/} Scott, p. 9.

D. IMPLICATIONS FOR MONTGOMERY COUNTY:

There are many complex issues involved in designing sound zoning regulations for child care facilities in residential neighborhoods. These include the following issues which have been discussed in the preceding pages:

- Examine the Special Exception process and consider the possible expansion of Permitted Use Zoning and the clarification of specific conditions necessary to acquire a Conditional Use (Special Exception) permit.
- Review the compatibility of the zoning ordinance with other child care codes and regulations in order to avoid duplication or inconsistency.
- Evaluate the feasibility of using zoning as a tool to both protect the integrity of the community in terms of land use, as well as to protect the welfare of specific individuals, in this case, children.

SECTION III

SURVEY RESULTS

This section describes the survey results of fifteen child care centers in the Washington metropolitan area, each accommodating fewer than twenty children. The purpose of the analysis is to determine the impact of these facilities in residential zones on the surrounding neighborhood.

In general, none of the facilities analyzed had a significant negative impact on the surrounding residential neighborhood. All were physically compatible and visually unobstructive. Neighbors reported that the facilities did not create noise, trash or parking problems. Minor traffic problems were noted in some cases although none of the facilities caused significant traffic impacts.

A. GENERAL METHODOLOGY:

Surveys were conducted in order to determine the characteristics, operations, and impacts of child care facilities in residential zones. Copies of the survey instruments are attached in Appendix G. Survey instruments were developed for the purpose of obtaining responses from the home/center operators, parents and neighbors. The surveys were administered through personal interviews, telephone interviews, and hand delivered questionnaires. Survey responses were utilized in the preparation of site development guidelines and regulatory amendments.

A total of eleven child care facilities were surveyed in locations in Montgomery and Prince George's Counties, Maryland and Arlington County, Virginia, in the Washington D.C. metropolitan area. A transportation survey was conducted at fifteen sites. It was necessary to review facilities located in other jurisdictions because so few facilities of the appropriate size exist in Montgomery County. Only two of the four facilities accommodating twenty or fewer children within Montgomery County who were contacted agreed to participate in the study.

Six of the approximately twenty-five providers of child care for fewer than twenty children in Prince George's County participated in this study. All operate a child care program under the "Group Day Care Center" provisions of the Maryland code.

In Arlington County, providers are licensed under the Family Day Care Home" category of state licensing requirements which allows for care of up to nine children. These three homes were included in this survey, for it is believed that they are representative of child care facilities in the suburban areas in the Washington metropolitan area.

All surveys were conducted during the summer months. Center operators indicated that summertime operations were almost identical to those during the school year since most of the child

care homes and centers serve families in which both parents work. It was noted, however, that during the summer none of the children could use public school system bus transportation. Although a larger survey would have been desirable, the budget and time frame prohibited an expanded analysis. It is believed, however, that those facilities chosen are analogous to conditions in Montgomery County and provide reliable data for comparison.

B. SURVEY RESULTS:

B.1. OPERATORS' SURVEY RESULTS:

The survey of facility operators incorporated eleven home and child care centers in Montgomery and Prince George's Counties, Maryland and Arlington County, Virginia. The surveys were conducted as direct personal interviews to gain information on the operation of child care facilities and related areas.

B.1.a. Capacity and Hours of Operation: The average licensed capacity among the eleven facilities studied was twelve children (see Table 5), with a range from seven to 20 licensed capacity. All facilities reported that they are at capacity during the school year with one facility emphasizing part-time care.

Two of the eleven facilities open as early as 6:00 A.M., with six opening at 7:00 A.M. (see Table 6); the latest opening time is 7:30 A.M.. Most of the facilities close at 6:00 P.M., with two remaining open as late as 6:30 P.M. The facilities take relatively few holidays, with only two closing on legal holidays, and only one closing during Christmas week and Thanksgiving week.

B.1.b. Staffing: Four of the eleven facilities have at least one full-time employee in addition to the facility operator (see Table 7), and all but one of the remaining facilities have part-time employees. This gives an average staff/child ratio of 1:5, with a range of 1:3 to 1:12. Although the staff/child ratio is established by licensing regulation, many facilities meet more than the minimum requirements. In addition, the operator lives on the premises in ten of the eleven facilities surveyed.

B.1.c. Clientele: Only 29 percent of the children served in the typical facility reside within a ten block radius of it (see Table 9). Providers serve a large number of children from a much wider area; for example, an Arlington provider states that she provides care for a child whose parent works in Arlington, but lives in Fredericksburg, Virginia, some 30 miles away.

Providers working in established older neighborhoods where the numbers of young children have diminished, advertise in local and metropolitan newspapers to attract clients from other locations. Providers also receive referrals from the information or referral services, as many working parents call that service for child care assistance.

Of the 141 children served, approximately 93 percent arrive at the child care facility by automobile. Only ten, or 7.1 percent, arrive on foot. None of the children attending these facilities surveyed arrived by public transit.

B.1.d. Play Areas: All of the facilities located in single-family homes had changes made in the yard, usually to include fencing and outdoor play equipment. In one case, a garage was converted to the child care facility, requiring more substantial modifications. In all but two cases, the changes were required to meet licensing and regulatory requirements.

Children play most frequently in a play area on the provider's property (see Table 11); however, the small child care home in the apartment complex has a separate tot lot within fifty feet of the apartment building. Providers serving older preschoolers and school-age children also provide driveway space for riding bikes and trikes, and one facility caring for infants and toddlers provides space in a screened-in porch. In one case, school-age children are allowed to play in an adjacent field and on nearby tennis courts. In addition, approximately 60 percent of the providers take the children to parks on various occasions and one provider regularly drives toddlers and preschoolers to a nearby playground.

Although seven of the child care operators provide transportation on field trips and to and from nursery school or nearby public school (see Table 10), only one operator regularly picks up children from nursery school and provides afternoon child care. However, because of limited play area at one facility, that provider regularly takes toddlers and young preschoolers to a nearby playground in her van. Also, parents occasionally drive children on field trips to parks or museums and one provider leases a van for special field trips.

B.1.e. Insurance: Insurance coverage has been identified as a major concern and a possible obstacle to the expansion of child care homes and centers. One-third of the child care operators indicated that they did not carry liability insurance as a result of the high costs. Another third had difficulty obtaining insurance since companies were not insuring new providers or renewing current policies.

Fortunately, the Maryland Assembly recently passed legislation that requires insurance companies registered in the state to permit small child care home providers coverage on their home owner's policy with an additional cost of approximately eight hundred dollars annually. The higher insurance costs discourage providers from filling the need in this category of facility.

B.1.f. Providers' Backgrounds and Their Neighbors: The providers come from a variety of child care backgrounds. Three had worked in preschool or child care programs prior to becoming operators of their own facilities. One provider had been a director of a child care center in the Midwest and another had worked as a

staff assistant in the center she now owns. All but one of the providers are parents, although none have preschool children of their own at the present time. Some of them had concerns about their own children's care and were motivated to become providers as a result of their own needs for quality child care. The oldest facility surveyed was licensed in 1962 and the most recent was established in 1986 (see Table 8); six of the eleven facilities have been established since 1981.

The relationship between the child care home or center operator and the neighboring community is important. The existing zoning and licensing system provides many opportunities not only for immediate neighbors, but also others residing throughout the broader community, to express their concerns or support for the establishing of a child care facility for seven or more children. However, only one of the eleven child care operators faced significant opposition at a zoning hearing during the initial establishment of that facility.

B.2. SURVEY OF NEIGHBORS:

B.2.a. Description of the Respondents: The consultant interviewed seventeen neighbors of five of the eleven child care homes/centers in this survey who either lived next door or across the street from the child care facilities. Additionally, neighbors close to the nearest cross street were interviewed. Seven interviews were conducted in person, four were obtained by telephone, and eight were provided through response to a questionnaire distributed by hand and mailed to the investigator.

Four of the seventeen neighbors moved into their homes after the facilities had been established. Five neighbors work outside of the home during the weekday time period and twelve of the neighbors stay home most or part of the day (see Table 15). Five of the neighbors who are home at least part of the day are homemakers, another is a retired senior citizen, and another is a student. Five other neighbors have home-based businesses and that include a real estate agent, a tennis instructor, an association administrator, and a small printer.

B.2.b. Summary of Responses: Fifteen of the seventeen respondents were positive or very enthusiastic about having a child care home/center in their neighborhood, one was neutral, and only one was uncomfortable (see Table 16). Since the small child care facilities began operating in their neighborhoods, most neighbors indicated that they thought the home/center was very convenient, and two indicated that their children attend the facility.

All 12 neighbors indicated that there had been no incidents of vandalism or litter because of the operation of the child care home/center, nor did they report any significant increase in the noise level of the neighborhood. Sixteen of the seventeen neighbors surveyed indicated that traffic had increased only slightly or not at all since the facilities were established (see Table 18). One neighbor reported that the traffic has increased

substantially, although the facility had been in existence for eleven years before he moved into the neighborhood.

Neighbors appeared to be sensitive and alert to the issue of safety and control of children in the child care facility. Sixteen neighbors stated that the child care provider maintained safety and control (see Table 19), and none of the neighbors noted any problems relate to poorly supervised children.

When asked if the child care provider had been cooperative with the neighbors, eleven of the seventeen responded positively. Only one neighbor indicated that the child care provider was uncooperative; this neighbor also indicated that he had not spoken to the child care operator about the problem he perceived. In regard to whether the provider responded constructively to complaints, six neighbors answered "yes," five indicated that they were uncertain, two responded that there were no complaints, and three indicated that the child care provider was a little difficult to get along with (see Table 20).

In regard to the resale value of their property (see Table 21), most felt the child care facility would have no impact. However, one indicated that the child care facility would have a positive impact and another thought that it would be negative. Generally, the neighborhoods appeared relatively stable with providers reporting only a small turnover of population.

Neighbors of existing child care homes/centers generally have positive attitudes about the facility within their neighborhood. The item having the most negative impact on the neighbors appeared to be traffic, with nine of the seventeen neighbors surveyed indicating there has been some increase in traffic as a result of the locations of the child care facility; however, only one classified the increase as substantial.

B.3. SURVEYS REGARDING TRANSPORTATION ISSUES:

One of the primary areas of concern in the zoning and site planning approval process for child care facilities in residential neighborhoods is traffic. Prospective neighbors worry about the facility's impact on traffic flow and parking on local roads. Government officials share these concerns and are also concerned about the impact of traffic in general in the jurisdiction. In addition, everyone involved in the process seeks to protect the safety and welfare of the children.

Because of these concerns, the transportation survey was the most detailed and the largest of the surveys conducted for this study. In order to assess the impact of child care homes/centers on traffic generation, parking and safety, a three-part survey was conducted at fifteen sites. First, child care related traffic was counted at each site during the peak morning and afternoon hours. Secondly, a survey instrument addressing a variety of transportation issues was administered to parents at each site. Finally, traffic surveyors were asked to provide their own per-

ceptions of access and parking for each of the centers surveyed. The surveys were conducted in person by two principal surveyors with additional surveyors provided at larger sites.

B.3.a. Main Differences in Responses: The result of the Parent Transportation Survey of Child Care Facilities have been analyzed in two groups: those serving seven to twelve children (large child care homes) and those serving 13 to 20 children (small child care centers). This breakdown was selected for two reasons: (1) to test the hypothesis that each has a different impact on the neighborhood and on its traffic, and (2) to test the applicability of the Maryland State Licensing Code's distinction between the two groups on transportation issues. The tabulation of the survey results, however, shows very little difference between the two sizes of facilities (see Tables 22 and 23).

The two areas where there were some variations were the median age of the children and the parent's perception on safety issues. The large child care homes had a median age of three years, while the median age at the small child care centers was five years old.

In regard to safety issues, the parents of children in the large child care homes enumerated more safety issues than the parents at the small child care centers. For example, 45 percent of the parents of the younger children at the large child care homes offered some negative comments about the safety of the location, while only 24 percent of the parents of the children at the small child care centers made a negative comment. This difference may be the result of the difficulty of negotiating traffic or parking lots with a younger child who does not walk well or must be carried, or it might also be that small child care centers are specifically built for the care of children and have more safety features. In any event, although more parents from large child care homes offered negative comments, it is interesting to note that about 80 percent of the parents at both sized facilities rated them very safe.

B.3.b. Similarities of Responses: The overall results of the survey show remarkably little variation; in question after question, more than 80 percent of the parents gave the same response. It appears that there are no major differences in habits or areas of controversy in regard to traffic among parents of children in child care homes or centers as can be seen in Tables 22 and 23. However, a brief summary of the survey results are presented below:

Means of Transportation: Most parents drove their children to the child care facility. In fact, only three parents reported some other means of transportation which, in each case, was to walk their children to the center.

Origin and Destination: Both are discussed together because the results are related and vary mainly on the basis of whether the survey was administered in the morning or in the afternoon. The

majority of answers in both cases indicate that the trip started and ended either at the home or the office, with the origin depending on the time of day. However, 13 percent of the total trips both originated and ended at the home. It seems unlikely that the effort and expense of placing a child in a child care facility would be expended unless the parent had a day-to-day occupation which made parental care difficult or impossible. The survey instrument did not directly ask the nature of the parents' occupations.

Stops on Trip: Seventy-six percent of the parents in small child care centers and 64 percent of those in large child care homes did not list any stops on their current trip. Of those parents who did list stops, the majority were locations such as the bank, swimming lessons, a shopping center, coffee, gas station, grocery store, or to meet a car pool.

Four percent of the parents mentioned stopping at another baby sitter's during the trip. In this study, and in the park study as well, the results indicate that some parents are not able to solve their child care needs with the use of one center for all of their children. A fair number appear to have school age children in one location and preschool children in another. This is one of many indications of the complexity of child care needs.

Number of Children Transported: At the small child care centers, 86 percent of the parents were delivering one child only and 14 percent brought two children. In the large day care homes, 88 percent brought one child only and 12 percent brought two children.

Carpool: Only one parent in the entire study participated in a carpool. It may be observed that the individual transportation of children may result from a variety of factors including the service area of the center, the age of the child, and the schedule of the parent. The consultant suggested, however, that child care homes and centers should actively encourage carpooling to minimize traffic and parking impacts.

Number of Trips: The vast majority of parents indicated that they drive two trips each day and ten trips each week to the child care home/center. The next most common arrangement was for one parent to drive one trip each day. The next most common arrangement, although represented only 4 percent of the responses, was for one parent to drive one trip each day, five days a week, sharing the driving with a spouse. The parents did not consider this a carpool.

School Year Variations: Most parents do not vary their schedules during the school year. Because most of the children in the survey sample are not yet in elementary school, they are not significantly affected by its schedule. Those parents who did indicate a change during the school year, reported a longer day or an earlier arrival time. Ten percent of the parents in the

large child care homes indicated that they drive in the summer only.

Inclement Weather: Almost 75 percent of the parents reported that their schedules did not change significantly because of inclement weather. Of the parents reporting schedule changes, 22 percent in the small child care centers and 24 percent in the large child care homes indicated that the change was due to delayed school openings or closings because of snow and ice.

Mass Transit: The survey indicated that the majority of the parents did not use mass transit for any of the trips under discussion. Of the few parents who did use mass transit, most used Metrorail.

Parking: Over 75 percent of parents in both sizes of facilities assessed the parking situation as good, and over 80 percent indicated that parking was the same in the morning and the evening. In the small child care centers, three percent felt that the parking was more difficult in the morning and 11 percent found parking more difficult in the afternoon. In the large child care homes, three percent felt that parking was more difficult in the morning as compared to five percent in the afternoon. Negative comments about parking were generally evenly distributed among the individual facilities, although two facilities appeared to have more problems than most.

Traffic Safety: Seventy-eight percent of the parents from the small child care centers and 81 percent of the parents from the large child care homes believe that the facilities are very safe.

Only two parents in this study rated the situation unsafe and no parent rated a facility extremely dangerous.

When asked about traffic issues at their specific location, 45 percent of the parents from large child care homes felt that there should be signs showing that children are at the location, that people speed on nearby roads, and that cars are parked on the wrong side of the road. Twenty-four percent of the parents from the sample were concerned about a busy road to cross, illegal parking, the need for a sidewalk, and a need for a stop sign at a particular intersection. In addition, a few parents addressed very specific road conditions.

Location: Seventy percent of the parents from small child care centers and 71 percent of the parents from small child care homes were happy with the location of the center the children were currently attending. Of the parents who preferred some other location, 8 percent of the parents at the small child care centers and 5 percent of those at the large child care homes would have preferred a location closer to their offices. Another 19 percent at both the centers and the homes indicated a preference for a location closer to home. Of the twenty parents who were dissatisfied with the current location, fifteen indicated a preference for a location closer to their homes.

Age of Child: The results indicate that the youngest children are most likely to be cared for at the smallest centers. There was a median age of five for small child care centers, the median age of three for large child care homes, and for the few centers with seven to nine children, the median age was two. Further study may clarify whether this age difference is a matter of parental choice or the effect of staff/child ratio requirements. It may be helpful information in assessing the optimum way of meeting the child care needs of various ages.

B.3.c. Traffic Counts: Traffic counts were analyzed in two categories, smaller centers of 7 to 9 children and larger centers of 10 to 20 children. These categories differ from those used throughout the rest of the report because this portion of the study was structured before the final decision regarding size groupings had been made. In order to finish this Section expeditiously, and to avoid the heaviest vacation period, it was necessary to proceed before that decision.

In the opinion of the consultants, the results would not vary significantly if the 7 to 12 and 13 to 20 breakdowns were used. The most probable change would be a slight increase of .1 or .2 cars per interval in the smaller centers.

Traffic counts were taken at two sizes of facilities: large child care homes (7-9 children) and small child care centers (10-20 children). The distribution of traffic flow at the homes were relatively even throughout the day (see Tables 24 and 25). There was some clustering of arrivals at these homes in the morning hours. When statistics from the five homes of this size are combined, however, no more than two cars arrived at a given center during any fifteen minute interval.

Only two survey periods, 7:00 A.M. to 7:15 A.M. and 9:15 A.M. to 9:30 A.M. had no arrivals. Overall, one time period had five arrivals, one had four, one had three arrivals, three had two arrivals, two had one, and two had zero. In addition only one home had more than three arrivals in any given fifteen minute interval and that occurred only once. There was moderate clustering in the 7:30 A.M. to 8:30 A.M., period during which 70 percent of the cars arrived.

The afternoon count of arrivals at these homes showed a stronger tendency to cluster. Almost 78 percent of the cars arrived between 5:00 P.M. and 6:00 P.M. The most active interval was between 5:00 P.M. and 5:30 P.M. when 56 percent of the total cars arrived.

Although the sample size of 20 cars at these five homes (7-9) is too small to serve as the basis for detailed conclusions, the data indicate that the amount of traffic generated at each center is minimal. The distribution of the traffic is fairly even throughout the AM peak hour with a slight tendency to cluster between 7:30 A.M. and 8:30 A.M. There is a more pronounced

tendency for afternoon pickups to cluster between 5:00 P.M. and 6:00 P.M.

The average vehicle occupancy including the child care participant, was 2.7 in the morning and 2.3 in the evening, indicating that there was no significant car pooling and that the majority of cars contained one adult delivering one child.

The number of cars parked at these homes ranged from two to six in the morning and one to seven in the afternoon (see Table 26). Because this count included all cars parked at the residence, and is not consistent with the data on arrivals, it is probable that many of the parked cars belonged to either members of the operator's family or employees at the center. The surveyors' observations bear out this conclusion.

There was never any significant back up of cars picking up or delivering children at these homes. The answer was always "no" to the question of "Was there a time when cars had to wait to reach and appropriate place to pick up or deliver children?"

The results of the traffic flow at the centers (10-20 children) were similar to those for the homes. 67 percent of the cars arrived 7:00 and 8:00 A.M., and in the afternoon, 53 percent arrived between 4:00 P.M. to 5:00 P.M.

The number of cars per fifteen-minute intervals per center ranged from 0 to 4 in the morning and in the afternoon. There was no significant tendency to cluster in the afternoon. For the morning there was some clustering between 7 - 8 A.M., with all but one of the eight intervals having seven to ten arrivals.

The average number of children delivered per car was 1.1 and the average total vehicle occupancy was 2.3 persons. Generally, only two cars were parked at the center at one time in the morning, with the average maximum number of six (see Table 26); there was no obvious pattern in the afternoon but the range was from one to five cars. It is probable that the higher numbers included cars belonging to the operator's family.

As in the homes, neither the traffic count nor the surveyor's observations indicated any tendency for lines to develop at these centers.

More children walked or rode bicycles to the centers than to the homes: 12 in the morning and six in the afternoon. This probably reflects the higher median age of the children (four years), and the location of one of the centers in an apartment complex.

Summary of Traffic Count Findings: Overall, small facilities in residential neighborhoods appeared to have a modest effect on traffic. Arrivals were fairly evenly distributed throughout the time period and the number of trips generated by each center was low. In fact, the clustering that occurred when centers were considered by size evened out when the two groups were combined

(see Table 27). Although parking seemed somewhat heavy in some instances, the results of the survey of parents, the surveyors' observations, and the lack of complaints by neighbors indicate that parking is not generally perceived as a problem. Although the automobile is the predominant means of transportation, and carpools are rare, the traffic impact on child care facilities is slight.

B.3.d. Traffic Observations: The traffic surveyors filled out an observation form for each facility which they visited (see Appendix B). They commented on several different issues: the ease of pickup and delivery of children at the site, traffic safety, parking, whether or not parents had to wait to pickup or deliver their children, and the traffic flow on the road at the site. Traffic flow was assessed using the terms "very light," "intermittent," "constant," or "heavy." These terms were chosen to differ from the language used by traffic engineers in order to distinguish them from a formal traffic engineering report, and yet to convey a clear meaning for the general public.

The results did not indicate any problem areas. Pickup and delivery was rated "very easy" in all but two cases, where it was rated "moderately easy." All but two of the centers were rated "very safe": the remaining two were rated "safe." Parking was rated "fair" to "very easy" in every case, and the parents did not have to wait to pick up or deliver children at any of the facilities. The traffic flow varied from "constant" in two cases to "very light" in ten cases; traffic at the other three facilities was rated "intermittent."

The traffic observers noted that, in two cases, there was a very busy and dangerous road near a facility; however, in each case, they felt that the control of the children and the location where the children were actually delivered was so good that they did not believe safety was diminished.

B.4. PHYSICAL SITE:

B.4.a. Methodology: Visual inspection of six child care facilities was conducted by a registered architect with substantial experience in the design of child care facilities. This survey included both of the Montgomery County facilities participating in the study, three of those in Prince George's County, and one of the Arlington County sites.

The methodology involved first preparing a list of physical planning concerns and then analyzing the site to make qualitative observations. Assessment criteria were developed and any areas of concern were noted to be later incorporated into a list of comments for each site. Photographs and a field measured site plan of the existing conditions were prepared at the same time the site observations were made. During the site visits, particular attention was paid to the issues of lot size and compatibility, abutting uses, visual screening, layout of the outdoor play space, and parking space and access. The purpose of the

physical site assessment was to provide data for the development of site planning and development review guidelines for child care facilities in residential zones.

R.4.b. Observations: Five of the six sites visited are located in converted single family residences, with the remaining site being a two-bedroom flat in a garden apartment complex. Four of the six sites are utilized as the residence of the center operator, and only two are used exclusively for child care purposes. All six of the sites are located in or near residential subdivisions. Lot sizes varies from 5,000 square feet up to 53,000 thousand square feet.

There appears to be little problem with accommodating the indoor and outdoor space required for a child care home or small center on a typical residential lot. A small lot of approximately 5,000 square feet can easily accommodate a large child care home of twelve children, unless topography or other problems restrict the use of the yard for outdoor play space.

All of the single-family sites are spatially organized in a similar manner, with the rear yard fenced for outdoor play. The location of the outdoor play space away from the street and buffered by the house minimizes any impact from the street. Several of the sites have adjacent park or wooded areas, further minimizing the impact of the center on neighboring properties.

The separation of the large child care homes and small child care centers from abutting residential uses ranged from 15 feet to approximately 125 feet. This separation was measured from the actual adjacent dwelling to the nearest outdoor fenced play space. Only in the cases where adjacent dwellings were very close to the fenced area would there be a potential for visual or audible impact. Only two, of the approximately thirty abutting dwellings, came within fifteen feet of any of the outdoor play spaces. In most cases, a taller solid fence and some strategically located evergreens would ease any potential impact.

The outdoor play space of all the sites is easily accommodated in size to meet Health Department requirements. In some cases, the area enclosed by the fence was larger than needed and extended to the property line.

No parking problems were observed on any of the sites. Adequate spaces are available for several cars on private driveways or on the street in the immediate vicinity of the center.

4.c. SITE PLAN SKETCHES: John Elicker, Architects provided the following site plan sketches and observations.

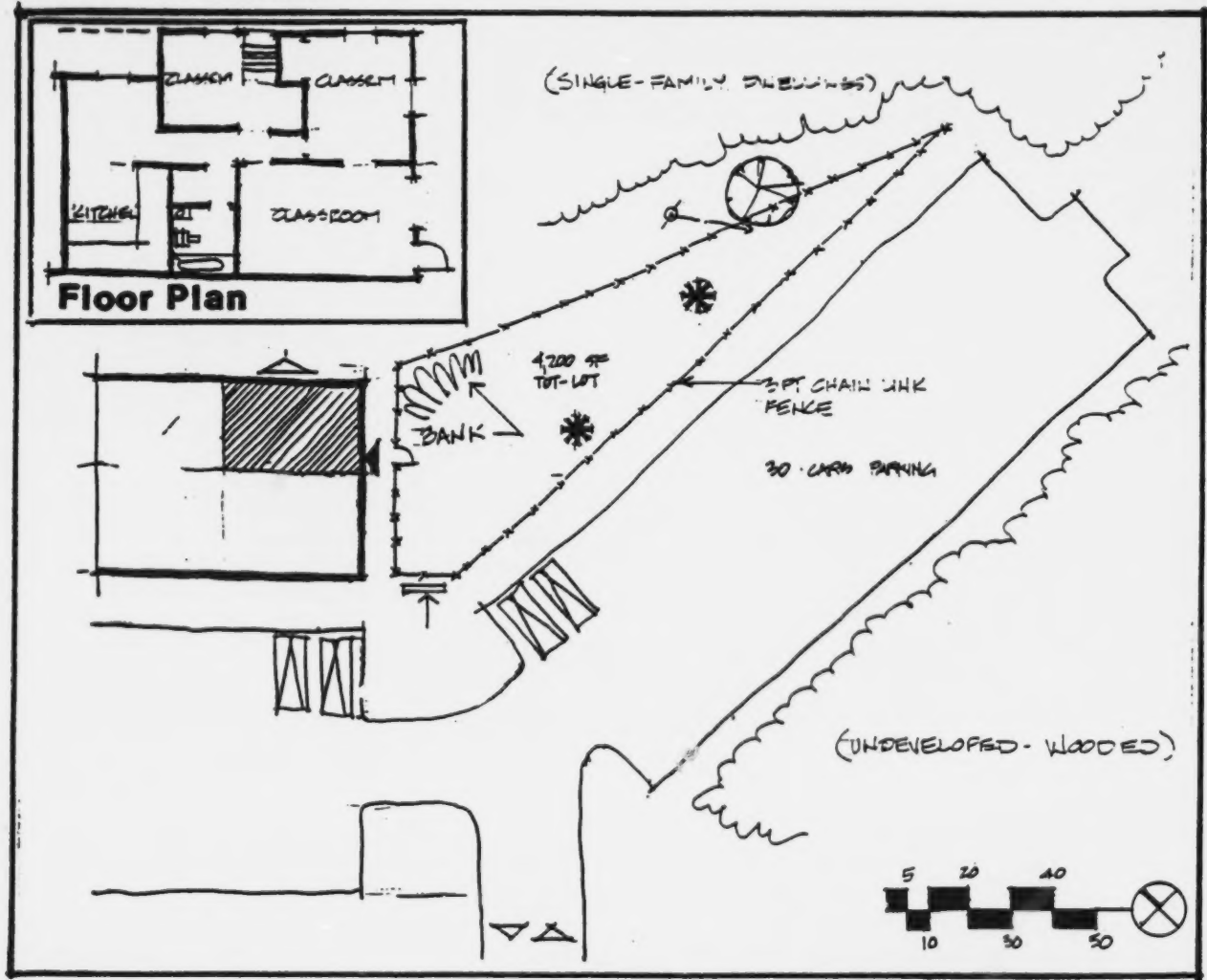
Prince George's County

Site

A

12 CHILDREN / APARTMENT / RETROFIT

Site Plan Sketch



Key

---	Property Line	○	Stop Sign
—x—	Chain Link Fence	⊗	Traffic Light
=====	Solid Fence	⊗	Wooded Area
▲	Entry	⊗	Shade Tree
▼	Exit	⊗	Evergreen
▢	Auto; Parking	⊗	Play Equipment
↑	Sign		

Comments

Prince George's County

Site

A

Physical Site Assessment

Building
Description:

Converted two bedroom ground floor apartment in a three story garden apartment; concrete and brick construction; fair condition; estimated age of thirty years.

Lot Size/FAR:

630,000 SF or 18 Acres

Site
Description:

The ground floor side entrance of this center is well placed to minimize impact on close by apartment residents. Also by locating the center in the most remote building in the center, safety is improved by minimizing traffic in the vicinity of the center. The space between the unit and the fenced play area is not well conceived and could have been directly connected to the center. Ample parking is available in an adjacent unutilized parking lot. The narrow pointed shape of the tot-lot limits its effective use. Additional shade trees, landscaping, equipment, etc.; would be preferable. A telephone pole is located very near the fenced area. Its guy wire is inside the tot-lot presenting a potential hazard.

Transportation:

No transportation problems, parking or safety issues were identified at this site. A majority of the children live in the apartment complex and therefore are escorted to the center on foot. Parents and the surveyor expressed mild concern about the use of the paved areas for skate boards, bikes and conversation by other residents.

Comments

The shape of the fenced playspace could have been improved by altering the pointed end and fencing nearer the existing wooded area. Additional buffer landscaping and shade trees would have improved the quality of the play area. The entry gate to the play space could easily have been reconfigured so as to directly connect the playspace with the door out of the center.

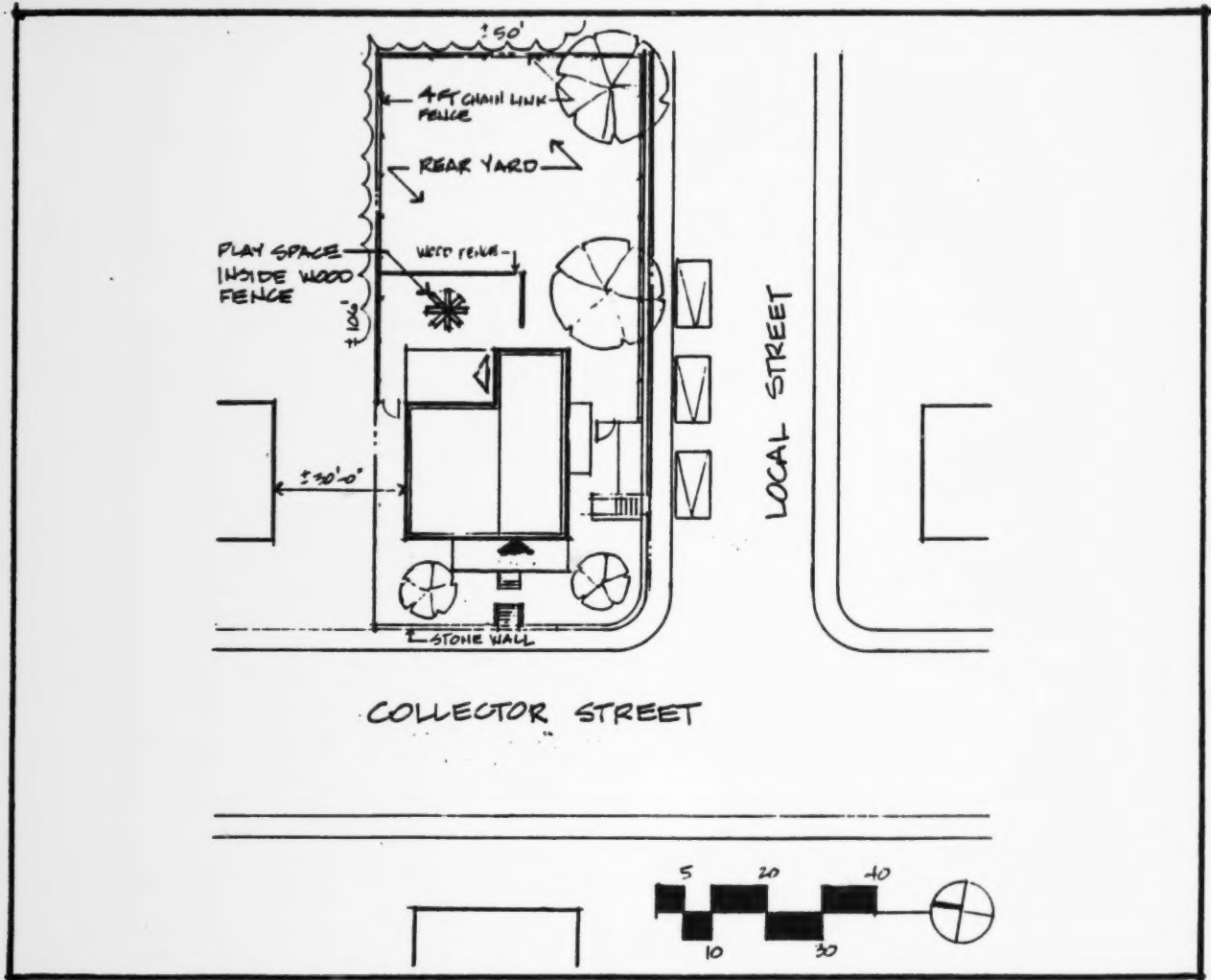
Arlington County

Site

B

9 CHILDREN / SINGLE FAMILY , DETACHED / RETROFIT

Site Plan Sketch



Key

- Property Line
- Chain Link Fence
- Solid Fence
- ▲ Entry
- ▼ Exit
- ▢ Auto; Parking
- ↑ Sign

- Stop Sign
- ✕ Traffic Light
- ◌ Wooded Area
- ◌ Shade Tree
- Evergreen
- ✱ Play Equipment

Comments

Arlington County

Site

B

Physical Site Assessment

Building
Description:

Converted two-story frame dwelling; three-bedroom house;
good condition; estimated thirty years old.

Lot Size/FAR:

5,030 SF or .12 Acre

Site
Description:

Located on a corner lot in an older subdivision of one-tenth acre lots, this site provides good access and visibility through the residence's front porch entry. Approximately three car spaces are available on the side street. Abutting uses on one side and the rear are other residences; while the other two sides are streets. The nearest dwelling is only twenty feet from the small fenced play space. The wood fenced infant play area is visually screened and immediately adjacent to the interior space. A second chain link fence surrounds the rear yard which is not used for outdoor play.

Transportation:

No transportation issues were identified at this location. Parents and surveyors gave favorable ratings to parking and safety.

Comments

The fenced play space would be better situated further away from the neighbor's side yard. The existing steps and front porch limits handicapped accessibility, perhaps a ramp could have added from the side yard. Additional mulch, landscaping and buffer plantings could improve the visual quality of the play area.

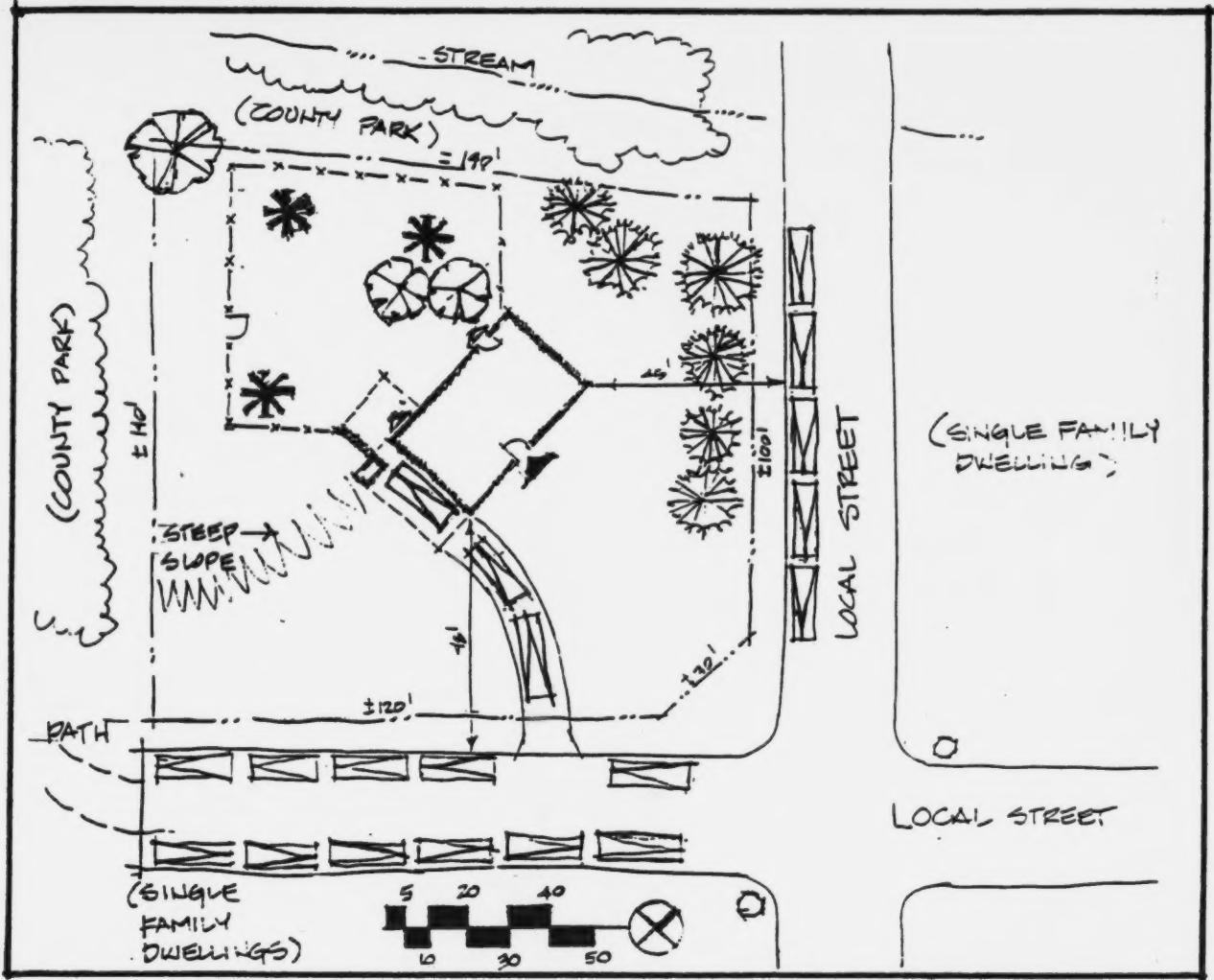
Montgomery County

Site

C

20 CHILDREN / SINGLE FAMILY , DETACHED / RETROFIT

Site Plan Sketch



Key

- Property Line
- - - Chain Link Fence
- ===== Solid Fence
- ▲ Entry
- ▼ Exit
- ▢ Auto. Parking
- ↑ Sign

- Stop Sign
- × Traffic Light
- ☁ Wooded Area
- ⊗ Shade Tree
- Evergreen
- ✱ Play Equipment

Comments

Montgomery County

Site

C

Physical Site Assessment

Building
Description:

Converted two-story frame dwelling; five-bedroom house; brick aluminum siding, good condition; 22 year old structure.

Lot Size/FAR:

18,000 SF or .41 Acre

Site
Description:

Located on a corner lot of a residential subdivision with one fronting street "Dead-Ending" into a public park path system. Abutting use on two sides is a public park. Remaining two sides have the streets separating, and providing ample distance from, 3 single family dwellings. The structure is oriented at 45 degrees to the intersection shielding the enclosed fenced play area. The play area is well situated towards the park. Large evergreens help buffer the play area from the street. Excellent distances of over 100 feet are maintained between outdoor play and adjacent dwellings. The dead end provides an ample amount of approximately ten parallel on-street parking spaces. Stop signs are well placed. This 1/3 acre corner lot abutting an open space seems to be an outstanding prototype for future small center locations.

Transportation:

The results of the transportation surveys indicate that this is a very good site in terms of traffic issues. The traffic surveyor called it ideal because of its location near a dead end street in a lightly traveled residential area.

Comments

Improved pedestrian access, especially for the handicapped, could have easily been provided by a walk and small ramp increasing the width of the one car wide driveway, thereby eliminating the existing step at the front door. Otherwise, this site has no significant visual or functional problems.

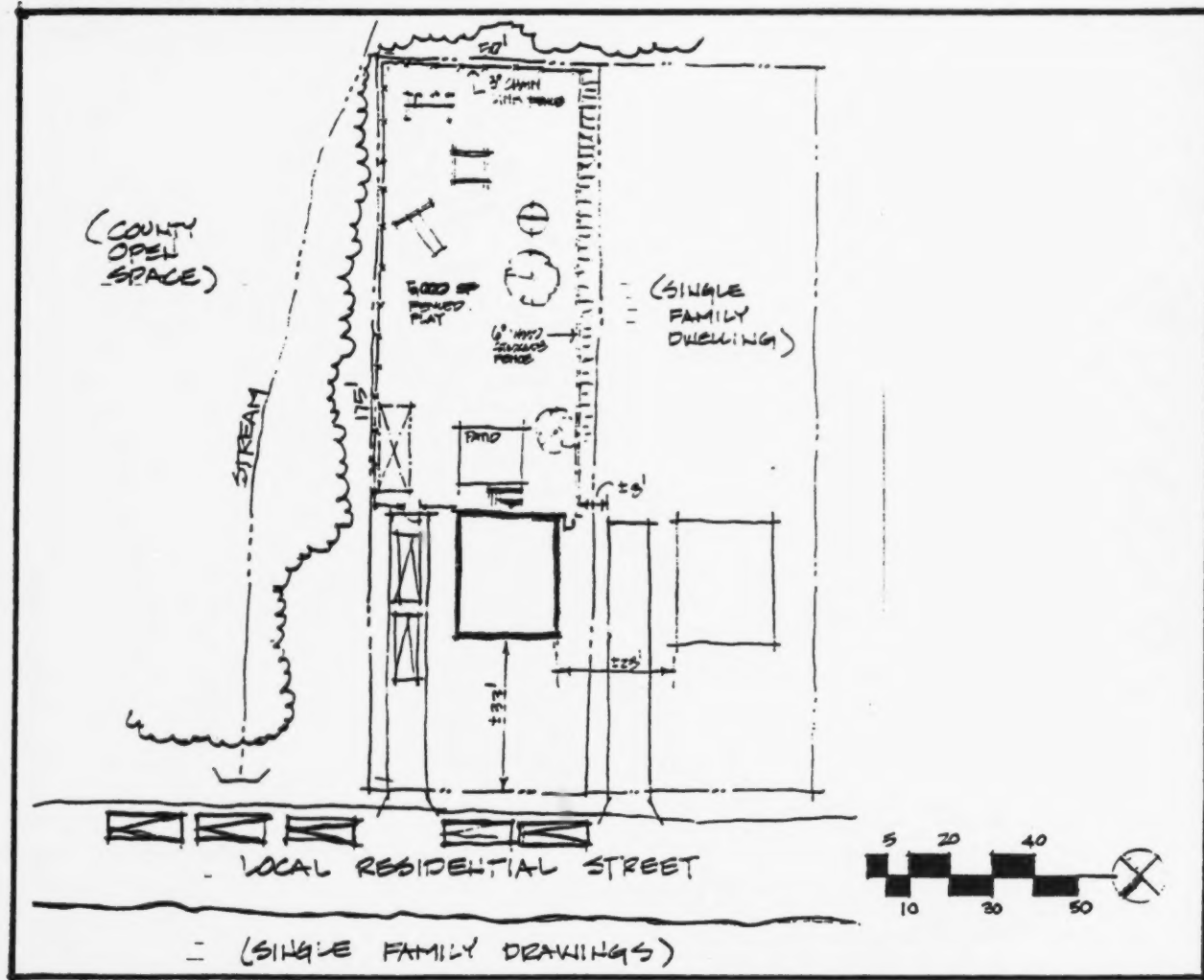
Prince George's County

Site

D

15 CHILDREN / SINGLE FAMILY , DETACHED / RETROFIT

Site Plan Sketch



Key

-----	Property Line	○	Stop Sign
- - - - -	Chain Link Fence	×	Traffic Light
=====	Solid Fence	☼	Wooded Area
▲	Entry	⊗	Shade Tree
▼	Exit	●	Evergreen
▢	Auto Parking	✱	Play Equipment
↑	Sign		

Comments

Prince George's County

Site

D

Physical Site Assessment

Building
Description:

Converted one-story frame dwelling with partial walkout basement; three bedroom house; mineral fiber siding; good condition; approximately thirty years old.

Lot Size/FAR:

8,750 SF or .20 Acre

Site
Description:

Located in a single family subdivision of smaller lots, this center makes good use of an adjacent stream and wooded open space on two abutting sides. Added curb side parking is available adjacent the stream. The center is entered from the back of the dwelling by going through the fenced area. Shade and natural views are provided by the tall, wooded areas on two sides. The one adjacent dwelling is uncomfortably close to the fenced play and patio. The space between the two dwellings is about fifteen feet. This is a good situation for a center of a small site due to its wooded buffers on two sides and the untraveled residential street.

Transportation:

No traffic, parking or safety issues were identified at this site in the transportation surveys.

Comments

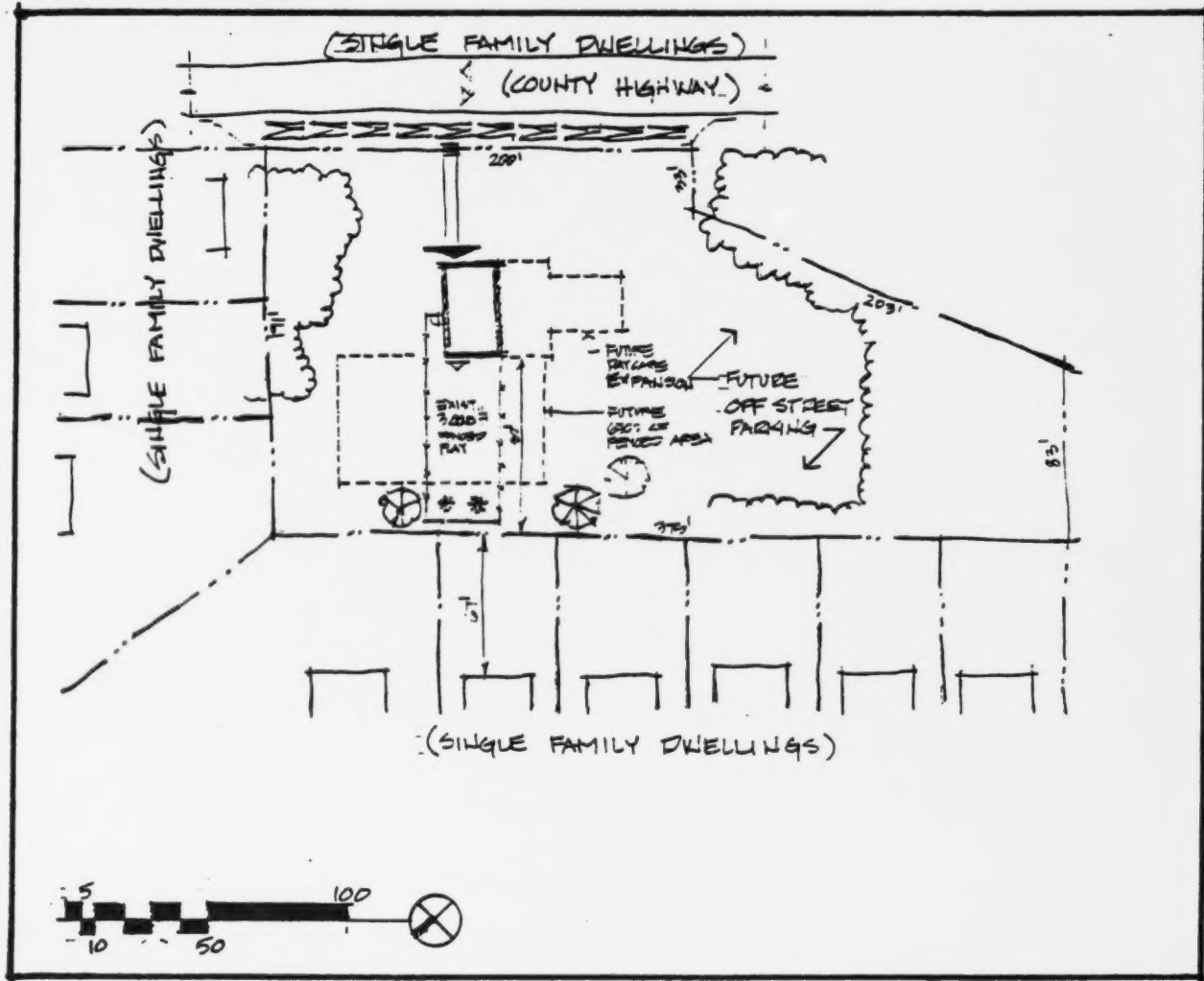
The fence nearest the adjacent home could be taller and of solid construction to increase visual and sound privacy in the neighbor's yard, thereby eliminating any potential impact. Some minor regrading could have been improved to the drainage in a portion of the fenced area. A ramp could have been provided to eliminate a step at the sunken entry door. A widening of the existing driveway could have provided an improved pick up/drop off situation, although curb side parking is available.

Prince George's County

Site

E

12 CHILDREN / SINGLE FAMILY, DETACHED / RETROFIT Site Plan Sketch



Key

- Property Line
- - - Chain Link Fence
- ===== Solid Fence
- ▲ Entry
- △ Exit
- ▢ Auto; Parking
- ↑ Sign

- Stop Sign
- × Traffic Light
- ◌ Wooded Area
- ⊗ Shade Tree
- ⊙ Evergreen
- ⊙ Play Equipment

Comments

Prince George's County

Site

E

Physical Site Assessment

Building
Description:

Converted two-story frame dwelling; two bedroom house; wood siding; fair condition; Seventy years old.

Lot Size/FAR:

59,250 SF or 1.36 Acres

Site
Description:

This center is located on a large semi-wooded lot on a minor thoroughfare. The abutting use on two sides consists of nine single family dwellings, some of which are visible from the rear of the fenced play area. The remaining side is a large undevelopable parcel. Across the street are single family dwellings. The fenced area is well protected at the rear of the site; well removed from any traffic. However the tot-lot equipment is close to, and highly visible from, several neighbor's back yards. Plenty of curb side parking is available on a wide gravel shoulder of the road. Access from the parking is direct, but could be improved for the motion-impaired by a ramp and continuous paved walkway. The natural setting is aesthetically pleasing, but overgrown to the point of preventing good staff surveillance of the property. Rearrangement of the fenced area, selective thinning and some evergreens would add to the privacy of this large, natural setting.

The Owner's are planning to expand the center to approximately fifty children when an addition is completed. At that time, an enlarged fenced area and off-street parking will be added.

Transportation:

The transportation surveys indicated that the busy streets and lack of sidewalk are problems at this location. Parents were more negative about transportation to and from the center than they were at other small residential centers. This may be due, in part, to the inconvenience of reaching the center.

Comments

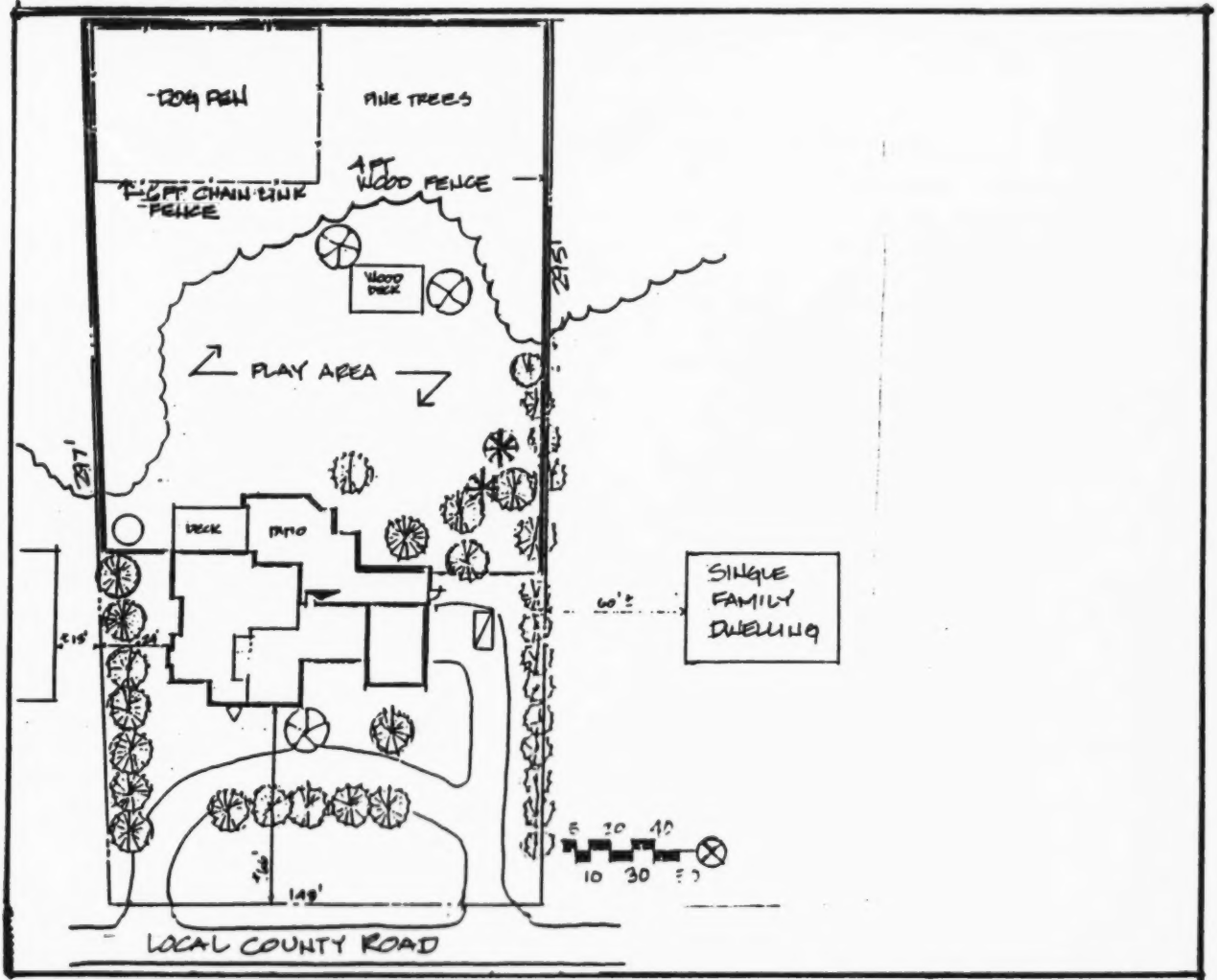
Uneven stepping stones create a tripping hazard along the front entry walk. The shrubbery in the front yard, while aesthetically pleasing, is overgrown and reduces visibility into and from the front door. The shape of the rear fenced play could easily been reconfigured to create more separation from neighbor's rear yards and the equipment could be placed closer to the center and further from the property line.

Montgomery County

Site

F

9 CHILDREN / SINGLE FAMILY, DETACHED / RETROFIT Site Plan Sketch



Key

— · — · — · —	Property Line	○	Stop Sign
— — — — —	Chain Link Fence	×	Traffic Light
=====	Solid Fence	⊗	Wooded Area
▲	Entry	⊗	Shade Tree
▼	Exit	⊗	Evergreen
▢	Auto Parking	⊗	Play Equipment
↑	Sign		

Comments

Montgomery County

Site

F

Physical Site Assessment

Building
Description:

Two-story frame dwelling; detached; main structure is twenty year old stucco structure; addition; very good condition.

Lot Size/FAR:

45,908 SF or 1.05 Acres

Site
Description:

The site is located in a residential neighborhood. Parents can drop-off their children on a semi-circular drive with ease. The entrance to the center is at the back of the house. The parents must go around the house to the right; then pass the garage and finally through a wood gate to the entry.

The backyard is well protected by an existing stand of pine trees on both sides and a 20'-30' pine tree wooded area at the back third of the site. The pine trees are very walkable and enjoyable due to the clear understory. There is a dog pen in the back left hand corner of the site with a six foot high fence.

The play area is protected from sun by four huge pine trees. The children also have a grass space to play in and a wood play structure.

Parking is easily accomodated in the circular drive.

Abutting residential uses on both sides of the center are not visually impacted due to the existing trees and wide side yards.

Transportation:

This center received high marks in all categories in the transportation surveys. The circular driveway was considered especially desirable. There were two negative comments about the street on which the center is located, due to the speed of traffic and the turning radius.

Comments

The only concern regarding this site stemmed from a County Licensing comment that the pine woods could allow intruders into the fenced area without being seen from the center.

building modifications required by the fire marshal and building inspector include such items as smoke detectors, railings for porches, mechanical ventilation, lead based paint removal, emergency lighting, fire alarms, fire safety doors and stairs, and protection from obvious hazards. Additional requirements by the health officer include a hand washing sink, a drinking facility with a cup dispenser, and sufficient toilets and wash bowls to serve the center. Exterior improvements generally required by the licensing agency include play equipment and adequate screening, which may include fencing or landscaping.

Operators reported that the physical modifications required averaged \$1,344, but ranged from \$150 to \$4,500 (see Table 13). Table 14 contains a development cost pro forma for a typical LCCH with costs of approximately \$15,000, excluding play equipment. The cost obviously varies substantially for each facility.

Equipment costs also vary. Outdoor play facilities can cost as much as \$5,000, while indoor equipment should average approximately \$200.

Compliance with regulatory and licensing requirements frequently requires retention of professionals such as architects, attorneys, and planners. Operators indicated that they spent from \$50 to \$485 on professional services (see Table 13).

5. COSTS OF ESTABLISHING CHILD CARE FACILITIES:

Child care facility operators are faced with start up costs that fall into three potential categories: modifications to the structure and grounds, equipment, and professional services.

Most modifications to the center and grounds are a result of licensing and regulatory requirements promulgated by the fire inspector, building inspector, or licensing authority. Physical building modifications required by the fire marshal and building inspector include such items as smoke detectors, railings for porches, mechanical ventilation, lead based paint removal, emergency lighting, fire alarms, fire safety doors and stairs, and protection from obvious hazards. Additional requirements by the health officer include a hand washing sink, a drinking facility with a cup dispenser, and sufficient toilets and wash bowls to serve the center. Exterior improvements generally required by the licensing agency include play equipment and adequate screening, which may include fencing or landscaping.

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SECTION IV

SITE PLANNING MINIMUM REQUIREMENTS AND GUIDELINES

There are two main codes which give planning criteria for the establishment of child care facilities in the Montgomery County area. One is the Montgomery County Zoning Ordinance (Article 59-G-2.13) which notes the special exception standards and requirements for child or elderly day care facility (see Appendix C). The other code is the Code of Maryland Regulations (COMAR) which defines "Group Day Care Centers" as a place which provide care for seven or more children. The Annotated Code of Maryland (Title 14: General Day Care, Subtitle 1: Children) defines a group day care center as a place which -- provides care for children for part or all of the day on a regular schedule at least twice a week. The law enables the State Secretary of Health and Mental Hygiene to promulgate regulations (COMAR: 10.05.01).

The Montgomery County Zoning Ordinance lists separate findings or guidelines for each size of facility and may require special exceptions. The County Code stipulates permitted setbacks, height limitations, and uses, etc. It also requires that facilities serving seven to twenty children in residential zones receive a Special Exception. These Special Exception requirements are in addition to the requirements in the code for the specific zone. A moderately detailed site plan is required in the submission of a Special Exception application and is detailed in Article 59-A-4.22 of the Montgomery County Zoning Ordinance (Appendix B).

The Code of Maryland Regulations (10.05.01) is enforced by the Department of Health. This agency does the licensing for the State in Montgomery County and makes various requests of the applicants regarding the site plan, general configuration, and inter-relationships in the center as part of the licensing process. In general, the licensing specialists analyze applications on a case-by-case basis without detailed written requirements for site plan design.

4.A. CURRENT MINIMUM SITE PLANNING REQUIREMENTS:

The following is a synopsis of the various requirements relative to site planning criteria currently in force. These represent the existing minimum requirements. Additional recommended minimums are provided.

4.A.1 Identification:

Article 59-F of the Montgomery County Zoning Ordinance, Signs and Billboards, addresses the types of signs which are appropriate in residential neighborhoods. These guidelines restrict the size and type of sign in the neighborhood and are appropriate for use regarding child care facilities. No further regulations regarding signage appear to be necessary.

4.A.2 Parking:

Parking must be designed to protect the safety of the children and to minimize the impact on the surrounding neighborhood. In addition, accessibility and convenience for parents and others visiting the center should be taken into consideration. The existing parking requirements in residential zones require two off-street parking spaces for single family homes and one to two spaces for multi-family residences. Exceptions or credits are available under certain conditions.

Provision for additional parking is recommended. In addition to the normal requirements of the zone, large child care homes should have one parking space for each full-time or equivalent non-resident staff member and two unloading spaces. On-street parking should qualify for unloading if there are three legal spaces located within fifty feet of the property which can be reached without crossing a street.

4.A.3. Landscaping:

Landscaping should provide aesthetic benefits to the neighborhood and to ensure the comfort and safety of the children. It may also be used as a visual buffer, as appropriate.

At the present time, none of the regulatory codes have any specific landscaping requirements. It is required, however, that all existing and proposed landscaping be illustrated on the site plan submitted during the Special Exception process. It is recommended that, as a minimum requirement, plant materials should be non-poisonous and have no sharp edges. When used as a buffer, landscaping material should be evergreen.

4.A.4 Fences and Barriers:

Neither the Montgomery County Zoning Ordinance nor the Code of Maryland Regulations state any specific requirements for fences or barriers. Health Department licensing inspectors, in practice, require fencing of child care facilities under certain

conditions (e.g., ages of the children, potential natural dangers, proximity to street or parking, etc.).

It is recommended that fencing or natural barriers should be required to restrain children from identifiable hazards. Play areas should be enclosed by fences or natural barriers on any side of a site located within twenty-five feet of a building other than the child care home. In addition, steps, ridges, or platforms should have barriers sufficient to prevent children from falling where elevation changes exceed twelve inches.

4.A.5 Play Area:

No minimum standards currently exist in the Zoning Ordinance for play areas although the licensing regulations (COMAR) stipulate that the play area should be free from hazards, accessible, and properly equipped to allow children to move safely and easily from one activity area to another. However, play areas should provide for a variety of types of play, easy supervision by the center's staff, and accessibility by children and their parents. It is best if play areas are located and screened to preserve the character and quality of life in the surrounding neighborhood. They might also be restricted from encroaching into the front yard of the residence, to minimize the impact of a large child care home on the neighborhood and along the street face.

4.A.6 Site Development:

There are two principal considerations involved in site development for large child care homes: safety and visual character. Safety requires appropriate protection from potential hazards such as stairs, steep grades, cellars, halls, streams, roads, balconies, and similar hazards. In addition, the center should be designed to preserve the visual character of the surrounding neighborhood.

There are no specific minimum requirements regarding safety or maintenance of visual character relative to site planning in either the Montgomery County Zoning Code or the Ordinance of Maryland Regulations. Both address general safety issues but neither provides any reference to visual compatibility.

Several suggested minimum standards to promote safety are described above. The licensing agency, the Montgomery County Department of Health, conducts a site visit during the application process and mandates the removal of safety hazards as a condition of approval. More detailed or numerous standards may merely duplicate the responsibilities of this agency and are not recommended at this time.

4.A.7 Lot Size:

Neither the Montgomery County Zoning Ordinance nor the Code of Maryland Regulations specify minimum lot sizes for child care facilities. Lots must be large enough to contain the required

play areas, and larger lots offer more flexibility for play space design and for buffering impact on neighboring properties. This study includes two centers located on smaller lots of approximately 5,000 and 8,000 square feet respectively (see Section III). There were no apparent problems as a result of these lot sizes.

It is recommended that the minimum lot size requirement be expressed as "an area adequate to contain the required play space without intruding on the front yard" as suggested in the preceding Play Area section. No specific square footage limitations are suggested since outdoor square footage requirements are monitored by the licensing inspectors from the local Department of Health.

4.B. RECOMMENDED ISSUES AND SITE PLANNING GUIDELINES:

The site planning guidelines provide recommendations for development of child care facilities in residential zones. They represent good planning practice, but they are not needed to be codified. The items in the guidelines are of legitimate concern to licensing and regulatory staff, however, because they do represent desirable development qualities for group day care centers.

4.B.1 Identification:

All centers should be marked with clear house numbers so that parents and emergency vehicles can find the site quickly. While the Fire Safety Code (Montgomery County Code: Chapter 22) requests and encourages owners to clearly display numerals, it is not required and is difficult to monitor. The street numbers should be lighted so that they are easily readable in the dark.

Signage identifying the child care center is not recommended in residential areas. In order to minimize the impact of the child care homes in a residential neighborhood, it is important to retain the residential character of these child care facilities in neighborhoods.

4.B.2 Parking:

Additional parking requirements have been recommended in the minimum site plan requirements described above. In addition to these recommended changes, there should be adequate sidewalks leading from all parking locations to the center. There should also be direct access from the parking areas to both the child care facility and the play area. Pedestrian circulation should be separated from vehicular circulation so that in no circumstances will children or parents have to walk on paved surfaces intended principally for automobiles.

4.B.3 Landscaping:

Landscaping can be used to great advantage in the site planning of a child care facility by providing both safety and aesthetic benefits to the neighborhood and to the children. It is suggested that, where possible, landscaping be utilized as a buffer or a barrier, either in lieu of fencing or to screen fencing from neighbors. Plants can be utilized to make the center relatively unobtrusive as viewed from abutting properties.

In addition to safety and aesthetic factors, landscaping can be used to provide important features for the facility itself. For example, at least one sizable shaded area within the outdoor play space for children should be provided. This shaded area should be planned to provide an appropriate amount of shade, in the proper location, with consideration for the time of day that children will be utilizing the play area. The shaded area should also be compatible with other landscaping and vegetation on the

property. The above criteria should also apply to the provision of "sunny spots" in the play area.

4.B.4 Fences/Barriers:

Like landscaping, fencing or natural barriers are desirable to protect the safety of the children and to serve as a visual buffer for the neighborhood. Fencing may be constructed of any normal fencing material; however, they should be designed so that a child cannot get caught in the fence itself. Wooden fences also should be treated so that the children are not subjected to splinters. Chain link fences should be buffered by plant materials on the outside to enhance their appearance from neighboring properties. All fences should be at least three feet in height, and play areas should be enclosed by fences or natural barriers on any side located within twenty-five feet of a building other than the child care facility.

4.B.5 Play Area:

The play area should be designed to protect the safety of the children and to promote recreation and development. It should provide for a variety of types of play, for easy supervision by the center staff, for easy accessibility of children and their parents from both the center and the parking lot, and not be located in the front yard of the center.

An ideal center should contain the following types of play spaces: a paved area or other hard surface, a shaded area, a sunny area, and an intensive activity center with appropriate equipment for outdoor play (including large, open spaces for large muscle development). Play areas should be readily visible from inside the center; each piece of equipment should be located far enough from the others to prevent safety hazards but close enough to allow easy supervision by one adult. Of course, play equipment should be sturdily designed without protruding edges or fasteners.

4.B.6 Site Development:

All stairs and retaining walls should have railings, and should be easily negotiable by all children expected to be served by the center, including handicapped children. The space between the rails should be no more than four inches in order to prevent children from falling through. Balconies and steep slopes or retaining walls should be blocked by protective barriers or fences.

Lighting should be sufficient to allow the safe use of all outdoor equipment during normal operating hours. Lighting should also be provided along all pedestrian ways in the parking and loading areas; it should be designed so as to be relatively unobtrusive to the surrounding neighborhood while still providing adequate safety for facility users.

Generally, there should be no modifications to the facade of the building and the external residential character of the structure should be maintained. Any additions to the residential structure should match the character of the existing building and the neighborhood. The residence should be painted in colors compatible with those of surrounding properties.

Children should not have access to sheds, basements, and other locations where potentially hazardous materials are stored, and trash facilities should be screened. In addition storage of any play equipment or toys should be segregated from dangerous materials, equipment, and trash storage areas.

4.B.7 Lot Size:

The minimum lot size should be large enough to contain all of the areas required for operation of the center. These include the required play area, walkways, off-street parking, if any, and any trash containers, yard equipment or play equipment stored outdoors. In addition, space should be sufficient to prevent storage and play areas from intruding on the front yard.

While an especially spacious lot may offer space for desirable play equipment and activity areas beyond the minimum requirements, it could also be more difficult to supervise. The inter-relationship of the spaces is more important than their size or the size of the lot.

4.C CONCLUSIONS:

There is a need to adopt and utilize minimum review criteria directly applicable to child care facilities in residential zones. The aforementioned guidelines may serve as a basis for these criteria. The zoning text may be an appropriate vehicle for formally instituting these recommendations. The simplest approach would be to add specific conditions for child care facilities to the permit process. The suggested guidelines facilitate establishing needed child care facilities by aiding both staff members reviewing special exception applications, and the applicants trying to establish quality child care facilities. More appropriate standards will save time and provide a sound basis for discussion during the review process. These options will be discussed in the following Section V.

SECTION V: RECOMMENDATIONS

As is well documented in everything from census data and academic studies to the daily newspapers and casual observations, that most parents are now in the paid work force. This is true on the national level and as this study points out in the beginning, it is even truer of Montgomery County. In January 1985, the Montgomery County Planning Board adopted a Child Care Policy Statement, which is attached to the Preface of this study. The Maryland-National Capital Park and Planning Commission began this very comprehensive study. Both are to be commended for these forward-looking steps. With increasing numbers of parents in the paid workforce, there has been more recognition of the growing need for child care facilities within many jurisdictions in the Washington metropolitan area and including Montgomery County. Because this trend of parents in the paid work force is expected to continue, additional child care has been conducted for the past several months. This study is the first part of three studies conducted for the Montgomery County Planning Board to implement elements of its Child Care Policy (January, 1985). Based upon the study results, the following recommendations are given.

A. RECOMMENDATIONS OF THE MARYLAND CONSULTANT GROUP (Child Care Management Resources, Giegerich & Associates, Inc., and John Elicker, Architects):

Based on the conclusions drawn from the surveys and analysis presented in the prior sections, this section suggests a number of areas for further study and possible action. There is an apparent need to provide minimum site planning guidelines and standards for use by prospective operators, developers, planning staff, and members of the Board of Appeals in order to facilitate review of Special Exception requests for child care facilities.

The establishment of these requirements and guidelines may require an amendment of the text of the Montgomery County Zoning Ordinance.

A.1. Planning Research:

The consultants support the variety of choices of location for child care which are being explored through these studies and other Montgomery County policies and studies. Before major amendments are made to the Zoning Ordinance, however, further study of parent preferences and needs are recommended.

Both focus groups and surveys could yield valuable data. If such studies are undertaken, data should be collected by age groups, since there are indications in the surveys in this study that parent choices and needs change as children grow older.

A.2. Planning Standards:

The provision of requirements and guidelines will not directly facilitate the establishment of child care centers; however, based on the minimal impacts of large child care homes as indicated in the surveys and analysis, the process for zoning review and approval warrants simplification.

Several alternative approaches are suggested in this section. This study has made a number of recommendations regarding minimum site plan guidelines for development of child care facilities. An appropriate method of formally establishing the guidelines would be to amend the text of the Montgomery County Zoning Ordinance to make the minimum site planning requirements Special Conditions to be met in applying or obtaining a Special Exception for a "large child care homes, and small child care centers" in the current ordinance. Similar requirements have been established for other uses including accessory apartments, drive-in restaurants and private educational institutions.

A.3. The Zoning Process:

Large child care homes and small centers in residential zones require a Special Exception in order to be established. The consultants' surveys of parents, operators, neighbors, and observations indicate that the centers have produced minimal impacts on the surrounding neighborhood. Large child care homes, serving seven to twelve children, appear to the consultants to be compatible with a residential environment. Simplification of the approvals process, as in Baltimore County, Maryland, is warranted. The principal effect of simplification of the process would be potentially faster and less costly approvals. The consultants recommend the following alternatives be explored including:

- establishing "large child care homes" of seven to twelve children as Permitted by Right with conditions in residential zones, or;
- allowing the Hearing Examiner to hear Special Exception cases in a manner similar to that as described in Section 59-G-1.2(A) of the Montgomery County Zoning Ordinance (see Appendix B).

These are two of several possible alternative approaches to simplify and streamline the approval process in order to facilitate the establishment of child care facilities in residential areas.

A.4. Covenants:

Zoning and licensing requirements rarely prevent a child care home from being established in a residential neighborhood. The restrictive covenants existing in a number of communities are, however, a road block which can be insurmountable. These

covenants are agreements adopted by homeowners associations limiting the use and changes that can be made to single-family residences in that community. There are model covenants which are frequently adopted by such associations.

The ones that are considered acceptable for Veterans Administration or Federal Housing Administration financing are very restrictive in regard to the uses permitted in a residential subdivision. Generally, they do not permit the establishment of a child care facility (see Appendix H). The intent and effect of such covenants would be a suitable subject for valuable additional research. Child care is but one of many public benefit uses which are frequently restricted by covenants in new developments. County policy should address this issue by reviewing homeowners association documents at site plan review or rezonings to planned developments.

A.5. Summary:

From a policy perspective, the facilitation of large child care homes in residential zones would provide valuable public benefit to the citizens of Montgomery County. The analysis conducted as part of this study indicates that the impacts of centers of this size are minimal, and can be further minimized by adherence to site planning guidelines. The methods by which such requirements or guidelines are established requires further analysis.

Similarly, a child day care policy in favor of establishing of small child day care centers in residential zones would be furthered by simplifying the regulatory process. There are several alternative approaches to simplifying the process which are in compliance and consistent with existing regulations of the Montgomery County Zoning Ordinance. A specific analysis of these alternatives is outside the scope of this study.

Finally, restrictive covenants promulgated by developers and homeowners associations which eliminate areas of Montgomery County from consideration for residentially based child care provision may have a greater affect than any other factor on a child care policy that encourages large child care homes and small child care centers in residential zones. The extent and impact of such covenants requires further study.

As supporters of the Montgomery County Child Day Care Policy, the consultants do recommend that the additional studies described above be conducted in the near future so that the child care needs of Montgomery County can be better met.

B. RECOMMENDATIONS OF URBAN INTERDEPENDENCIES:

B.1. Clarify Public Policy:

If we assume that parents will continue to be in the paid work force, then they will continue to create a need for others to help take care of their children while they are working. If child care facilities are adequately supplied, they can support the stability of the family and the productivity of the work force. Because of these possibilities, the following public policy issues are recommended for study, refinement, and adoption:

1. It is recommended that public policy be supportive of families in their efforts to responsibly care for their own family members.
2. It is recommended that public policy seek to balance the needs of children for adequate care with the rights of property owners.

B.2. Revise Zoning Codes and Practices:

Urban Interdependencies supports the recommendations of the Maryland based consultants in regard to zoning codes and practices, and would like to contribute a couple of additional ideas for consideration. Because an out-of-state consultant is not familiar with the ramifications of Montgomery County's local laws and practices, these ideas must be refined into implementation by those more knowledgeable of the local political realities. However, we are currently in the process of seeking to implement these ideas in Sacramento City and County, California.

It would aid Montgomery County to establish more child care facilities if new standards and guidelines were added to the current Special Exception process, including requests for Accessory Use; however, the process still might require a public hearing, a time-consuming and sometimes expensive process. This study suggests there is little negative impact on the neighborhood of a child care facility of under 20 children, Urban Interdependencies supports the Maryland consultant group in recommending that these child care facilities be permitted by right in residential zones. Therefore, the Recommended Child Care Zoning Definitions and Processes matrix is proposed (Appendix I).

In designing a refined zoning process, there are several guidelines to consider:

- 1) The new process should accurately describe the needed process and be easily understood and quickly implemented by developers, providers, business people, and political bodies. In practical terms, this would mean emphasizing a non-discretionary approval process (after meeting a list of conditions, approval is automatically given) and using a discretionary approval process (public hearing) only when absolutely necessary.

- 2) It should fairly balance the needs of children for adequate care with the property rights of land owners, and do so in a way that encourages and supports the establishment of more child care facilities. This could be implemented through the list of conditions to be met for the Conditional Use Permit.
- 3) If possible, the same general structure should apply to any size child care facility in any zone, thus giving developers and providers flexibility and encouragement to meet local needs.
- 4) It should be somewhat compatible with the laws and regulations of other localities; then it might be used as a model for others to refine and implement in their own jurisdiction, thus supporting the establishment of child care facilities in their area.

It should be noted that new names and definitions have been suggested to refine the current process. This was done, in an effort to refine and make more compatible the various definitions currently used in the studied jurisdictions. The implementation of the recommended definitions and processes might involve changes in local codes; however, this could have the added advantage of increasing public awareness of child care needs and resources.

The following three levels of zoning for child care in residential zones are proposed:

B.2.a. Permitted USE : In the terms of land use, because child care facilities are needed, have little negative impact on the community, and in many ways are an asset to the community, they should be permitted by right in all zones as often as possible. This means that, in term of lands used policies, the developer/provider would not have extra requirements or hearings to attend to establish a child care facility in that particular zone; they would, however, be required to meet all existing zoning and building requirements of that zone.

In other jurisdictions, including the City of Sacramento, child care facilities caring for fewer than 12 children in residential zones are Permitted by Right; and in Sacramento County, child care facilities of any size also are Permitted by Right in all commercial zones. California Law considers a "family day care home" (1-12 children) a residential use of property for the purpose of zoning, and prohibits any restriction by way of "covenant, condition upon use, or occupancy" which restricts the use of residential property for "family day care".

It is recommended that all child care homes for 12 or fewer children be Permitted Use in all residential zones. If a Conditional Use Permit process be implemented instead, these should be a standard list of conditions to be met in order to gain automatic approval of the child care home. It is strongly recom-

mended that the revision of the process for large child care homes (serving 7-12) not require a full public hearing.

In order to reinforce the relationship between land-use zoning and other regulatory processes, the zoning ordinance should note what additional licensing or regulatory review is necessary. In the review process, planners should be aware of any discrepancies among various agencies, if any.

B.2.b. Conditional Use Permit: Together with the above "Permitted Use" zone, the Conditional Use Permit would be the most widely used. Usually when larger numbers of children are involved, the child care facility would be permitted "by right under certain conditions." However, this would be a "non-discretionary approval process;" if the child care facility met the listed conditions, it would receive automatic approval and there would be no public hearing. If planning departments want to review child care facilities before they are established, then the Conditional Use Permit process would be a cost-effective way to do so.

These "conditions" could be developed, using the Site Planning Guidelines of this study as a basis; in addition, they could be refined for center of various sizes and each zone. The basis of the conditions could be the testimony of neighbors during previous hearings. The "conditions" should address the concerns of property owners, as well as facilitate the establishing of adequate child care facilities.

The facilities would continue to be required to meet existing (or refined) licensing requirements.

B.2.c. Special Use Permit: This level of zoning approval would be similar to the Conditional Use Permit, except that the Special Use Permit would also involve a requested or required public hearing.

Again, in terms of quality of the child care facility, the facilities would be required to meet existing (or refined) licensing requirements.

B.3 Develop a Layperson's Guide and Checklist For Establishing Child Care Facilities:

This would probably involve the production of two separate booklets: 1) one for developers addressing the physical requirements of building or renovating a facility for child care and 2) one for providers addressing the approval process for both the physical facility as well as for the licensing of the facility and programs. The "Guide" part would mainly address the zoning and licensing process and "Checklist" part would mainly list the requirements which must be met--and in the most efficient order. The entire process and all written material should be easily

understood and implemented by developers, providers, business people, and political bodies.^{7/}

B.4 Inventory Existing Underutilized Facilities And Existing Providers:

It might be advantageous to survey existing facilities (churches, service organizations, etc.) to see if any of them could be used for a child care facility.^{8/}

The public and private sectors may accomplish more by working together to increase the establishment of child care facilities.

C. SUMMARY OF RECOMMENDATIONS:

In conclusion, it is recommended that government find and implement ways of supporting the establishment of more child care facilities in all zones. This can be done by establishing clear public policies which promote the adequate care of our children, as well as making the zoning process more understandable and efficient. Developing "A Layperson's Guide and Checklist for Establishing Child Care Facilities" would be supportive of those who want to do so, as would an inventory of both underutilized facilities and providers who would like to expand their businesses.

^{7/} The Montgomery County government is in the process of producing the document, "How to Start a Day Care Center in Montgomery County." An information packet for developers and architects is also being prepared.

^{8/} Montgomery College Technical Assistance Program is currently conducting such an inventory.

APPENDIX A: GLOSSARY

Accessory Use: Accessory uses are uses which are "customarily incidental and subordinate to the principal use of the property" according to Section 59-A-2.1 of the Montgomery County Zoning Ordinance. Examples in residential zones might include separate garages, storage buildings or employee's quarters. They are frequently enumerated in the zoning ordinance and are Permitted by Right.

Conditional Use Permit--Proposed: The zoning of the land "permits it to be used" for a child care facility "if it meets certain conditions" (for example: building setback, noise buffers, play yard in back of the house, etc.); therefore, the plans for the child care facility must be checked for compliance with these listed conditions and approval given by some government agency or department. This approval is a "non-discretionary approval process"; "the book decides" or gives the approval and there is no public hearing. If the plans meet the listed conditions, they are automatically approved. ("Conditional Use Permit" is sometimes also know as "Compatible Zoning with Conditions" and "Permitted Use by Right with Conditions.")

Licensing: The process of granting formal permission to operate a child care facility, by a designated state or local agency. This agency has the authority to set standards based upon state law, conduct inspections to ensure that standards are being met, establish procedures for revoking licenses, and provide mechanisms for appeals. For child care facilities in Maryland, this authority is granted to state and local health officers by state law.

Large Child Care Center: Provides care for 21 or more children who do not have the same parentage for part or all of a day on a regular schedule more than once a week. Regulated and inspected by state and local officials under state and local law. LCCC operate in a variety of facilities such as open and closed public schools, religious institutions, commercial/office buildings, and modulars. Montgomery County, as well as other localities, permits a LCCC by right in Commercial Zones.

Large Child Care Home: Established under state law, Code of Maryland Regulations, 10.05.01 as "Group Day Care Center"; the code covers all "group day care centers" serving seven or more children. As defined in this study, LCCH provides care for seven to twelve children who do not have the same parentage for part or all of a day on a regular schedule more than once a week. Regulated and inspected by local and state health officials under local and state law. LCCH are usually in private residences, but care may take place in a larger facility such as a church, school, or business.

Some localities permit a LCCH by right in a residential zone; Montgomery County requires a Special Exception, including a public hearing. Montgomery County, as well as other localities, permits a LCCH by right in Commercial Zones.

Life Safety Package Systems: A combination automatic sprinkler-smoke detection system utilizing fast response sprinkler heads and AC-powered interconnected smoke detectors.

Nursery School (Pre-School): Provides educational and developmental training for children generally ranging in age from two to five. Children typically attend for fewer than four hours per day and fewer than five days per week. Nursery school programs operate in a variety of facilities including religious institutions, private and public schools, and recreation buildings.

Permitted by Right--Current: (Also see "Permitted Use--Proposed") Land uses which are consistent with the intent of a given zone are said to be Permitted by Right in that zone; for example private homes are Permitted by Right and are the predominate land use in single family zones. Churches and Public facilities are also Permitted by Right in these zones as compatible uses. Uses Permitted by Right are typically enumerated in the zoning ordinance. Rezoning or Special Exception approval is not required for development of these uses but they must meet any standards, reviews or codes specified by law.

Permitted Use--Proposed: (Also see "Permitted by Right--Current") The zoning on the land permits it to be used for a child care facility; the "use of the land" is compatible with the "zoning of the land." The developer/provider does not have to fill out any forms at the Planning Department, nor do they have to attend any public hearings. In Montgomery County, the provider must register with the Department of Social Services. ("Permitted Use" is sometimes also known as "Permitted by Right," "Permitted in the Zoning," or "Compatible Zoning").

Small Child Care Center: Sometimes referred to as a "Large Group Day Care Center." Provides care for 13-20 children who do not have the same parentage for all or part of a day on a regular schedule more than once a week. Regulated and inspected by local and state health officials under local and state law. Care may take place in larger facilities such as a church, school, or business, or may be provided in a private home. Montgomery County, as well as other localities, permits a SCCC by right in Commercial Zones.

Small Child Care Home: Sometimes referred to as a "Family Day Care Home." Permitted by Right in Residential Zoning to provide care for no more than six children at any given time in a residence. Care is provided for less than 24 hours a day and is compensated. No more than two children in care at one time may be under the age of two, including the provider's own children under the age of two.

Regulated by the Department of Social Services except when more than two infants are in the SCCH; then the SCCH must be licensed by the Montgomery County Department of Health. They are sometimes located in a business, especially if a parent is on the premises.

Special Exception--Current: (Also see "Special Use Permit--Proposed:") Certain types of land uses are designated as Special Exception use because of their social value or their extraordinary impact on standard zones. They range from housing for the elderly to gas stations. In order to qualify for a Special Exception, specific conditions must be met and, in the case of socially beneficial uses, standards, such as those concerning density and setbacks, may be less restrictive. The types of Special Exception uses permissible in each zone are generally listed in the zoning ordinance. Approval is typically granted by a body other than the Planning Commission, usually the Board of Appeals or its equivalent. A public hearing is typically required. Other terms such as "Special Use Permit" or "Conditional Use Permit" are used in some jurisdictions.

Special Use Permit--Proposed: (Also see "Special Use Permit--Current") The zoning on the land does not presently permit it to be used for a child care facility; therefore, a "Permit" must be acquired to allow this "Special Use" of the land. When people bought the surrounding land, they bought it on the assumption that the land would be used only in ways permitted by the zoning; therefore, forms must be completed and a public hearing must be held so that the surrounding landowners can evaluate the proposed plans and testify as to their approval or disapproval of the request to allow or "Permit" this "Special Use" of the land. This plan approval process is a "discretionary approval process"; people, usually a Planning Commission, have the discretion to permit or not to permit this special use of the land. ("Special Use Permit" is similar to Montgomery County's present "Special Exception" process; it is sometimes also known as "Conditional Use Permit" or "Special Permit.")

Zoning: The process of regulating patterns of local land use to provide consistency and to protect the health, safety, morals, comfort and welfare of present and future residents of the area. Zoning is usually a local prerogative. In Montgomery County, the regulations and standards of the zoning ordinance are contained in Chapter 59 of the County Code. Certain municipalities, such as the Cities of Rockville and Gaithersburg, retain the authority to regulate zoning within their boundaries, independent of Montgomery County.

APPENDIX B

59-A-4.2 PETITIONS FOR SPECIAL EXCEPTIONS AND VARIANCES

- 59-A-4.21 Filing of Petition.** Petitions for the grant of special exceptions or variances shall be filed with the board or, where appropriate, the director in quadruplicate on forms provided therefor, together with the fees established by the board or by the director by written rule.
- 59-A-4.22 Data to Accompany Petition for Special Exception.** Each petition for special exception shall be accompanied at the time of its filing by four copies of a statement which shall include:
- (a) Survey plats or other accurate drawings showing boundaries, dimensions, area, topography and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed to be erected, and the distances of such structures from the nearest property lines.
 - (b) Plans, architectural drawings, photographs, elevations, specifications of other detailed information depicting fully the exterior appearance of existing and proposed construction, including signs, involved in the petition.
 - (c) A statement explaining in detail how the special exception is proposed to be operated, including hours of operation, number of anticipated employees, occupants and clientele, equipment involved and any special conditions or limitations which the applicant proposes for adoption by the board.
 - (d) Complete information concerning the size, type and location of any existing and proposed trees, landscaping and screening and of any exterior illumination proposed.

- (e) Certified copy of official zoning vicinity map of one thousand foot radius surrounding the subject property and other information to indicate the general conditions of use and existing improvements on adjoining and confronting properties, along with a list of such adjoining and confronting property owners as reflected by the county tax records and as are entitled to notice of the filing under section 59-A-4.46.
- (f) If the petitioner is not the owner of the property involved, the lease, rental agreement or contract to purchase by which the petitioner's legal right to prosecute the petition is established.
- (g) Applicable master plan maps reflecting proposed land use, zoning and transportation, together with any other portions of the applicable master plan deemed pertinent by the petitioner.
- (h) All additional exhibits which the petitioner intends to introduce.
- (i) A summary of what the applicant expects to prove, including the names of applicant's witnesses, summaries of the testimonies of expert witnesses and the estimated time required for presentation of the applicant's case.

59-A-4.23 Data to Accompany Petition for Variance. Each request for variance shall be accompanied at the time of filing by four copies of a statement containing the information specified in paragraphs a, b, e, h and i of section 59-A-4.22.

59-A-4.24 Amendment of Petition. An applicant may amend his statement prior to the hearing upon consent of the board following a motion to amend and ten days' notice thereof to all parties entitled to original notice of filing. Amendments which the board finds materially alter a petitioner's proposal or evidence shall be cause for postponement of the hearing to a date which permits interested parties including but not limited to the planning commission and other agencies adequate time to review the amendment. Nothing herein contained shall prohibit the board during or after the hearing, at any time before the record is closed, from requesting the applicant to revise any aspect of his proposal.

ARTICLE 59-G-1 SPECIAL EXCEPTIONS -- AUTHORITY AND PROCEDURE (ORATOR U/C)

59-G-1.1 AUTHORITY TO HEAR AND DECIDE PETITIONS (ORATOR, L/C)

59-G-1.11 BOARD OF APPEALS

The Board of Appeals may grant petitions for special exceptions as authorized in Section 59-A-4.11.

59-G-1.12 HEARING EXAMINER

(a) In addition to the authorization given to the County Board of Appeals to hear and decide petitions for special exceptions, as set forth in Section 59-A-4.11, the Hearing Examiner is hereby authorized and directed to hear and decide petitions for special exceptions for any one of the following uses:

- (1) Boardinghouse for three guests or fewer in R-30, R-20 and R-10 zones.
- (2) Private educational institutions (dancing schools, etc.) for five or fewer students in any residential zones.
- (3) Home occupations in R-30, R-20 and R-10 zones.
- (4) Noncommercial riding stable for not more than two horses, for personal or family use, in an RE-2 zone.
- (5) Temporary structures, in residential zones.
- (6) Renewals of temporary special exceptions originally granted by the Board, Director or Hearing Examiner for boardinghouses, home occupations, and riding stables.
- (7) Farm tenant mobile homes for more than one but less than four, provided such farm tenant mobile homes meet the definition established for such uses by this Ordinance and that such uses are not within 200 feet of a non-farm residence.

All decisions and actions of the Hearing Examiner pursuant to this Section shall be subject to the provisions of Sections 59-G-1.2 through 59-G-2.62.

(b) Petitions for special exceptions filed pursuant to this Section shall be subject to the provisions set forth in Section 59-A-4.4 for petitions filed with the Board; however, the filing fee which must accompany each petition filed with the Hearing Examiner shall be established by the District Council from time to time as is necessary to reasonably cover the cost of processing the petition.

59-G-1.13 DISTRICT COUNCIL

The District Council shall have the sole authority to render a decision in the following special exceptions and such decisions shall be made and administered pursuant to the appropriate provisions of Section 59-G-1.2, 59-G-1.3, and Division 59-G-2 of this chapter.

- a. Community redevelopment areas.
- b. Cemeteries.
- c. Theaters, outdoor.

The Hearing Examiner is hereby authorized to hear, issue written reports and recommended findings, decisions, orders and recommend conditions of approval to the District Council for final decision on applications for these special exceptions.

59-G-1.2 CONDITIONS FOR GRANTING

59-G-1.21 GENERAL CONDITIONS

- (a) A special exception may be granted when the Board, the Director, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:
 - (1) Is a permissible special exception in the zone;
 - (2) Complies with the standards and requirements set forth for the use in Division 59-G-2;
 - (3) Will be consistent with the general plan for the physical development of the district, including any master plan or portion thereof adopted by the commission;
 - (4) Will be in harmony with the general character of the neighborhood considering population, density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and a number of similar uses;
 - (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity;

- (6) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;
- (7) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements. In making this determination the board, the director, or the district council, as the case may be, shall take into consideration existing development in the area, the proposed use, uses that have valid building permits and development reasonably probable of fruition in the foreseeable future. The board, the director, or the district council, as the case may be, shall also take into consideration planned improvements or additions to public services and facilities including those shown in public capital improvement programs and the county ten year water and sewerage plan. Documentation of the adequacy of water and sewer facilities and services shall be provided by the applicant at the time of filing.

With regard to findings relating to facilities for the transmission and treatment of sewage generated by the use: the board, the director, or the district council, as the case may be, shall further consider estimates of sewage flow anticipated to be generated by the proposed use; data regarding sewage generated by existing development using public sewer facilities in the sewer basin serving the project; estimates of flow in the sewer basin serving the project to which WSSC has committed public sewer service; and local, state and regional sewerage plans, programs and policies. A project for which the WSSC has made a sewer commitment in accordance with the county ten year water and sewerage plan, and other applicable regulations, shall be deemed to have satisfied the requirements of this section regarding adequate sewerage facilities.

With regard to findings relating to public roads, the board, the director, or the district council, as the case may be, shall further determine that the proposal will have no detrimental effect on the safety of vehicular or pedestrian traffic.

Nothing herein shall be construed as relieving the applicant from the necessity of complying with all requirements for obtaining a building permit or any other authorization or approval required by law, nor shall the board's finding of facts regarding sewerage facilities be binding on any other governmental agency or department responsible for making a determination relevant to the authorization, approval or licensing of the project.

- (b) The applicant for a special exception shall have the burden of proof which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the board, the director, or the district council.
- (c) The provisions of this section shall not apply to petitions for special exceptions for which public hearings by the board of appeals have begun as of August 12, 1975.

- 59-G-1.22 Additional Requirements. The board, the director, or the district council, when appropriate, is hereby empowered to add to the specific provisions enumerated herein others that it may deem necessary to protect adjacent properties, the general neighborhood, and the residents, workers and visitors therein.
- 59-G-1.23 Bulk, Area, and Parking Requirements.
- (a) Height Limitations. Special exceptions shall be subject to the height limitations laid down in the zone in which the special exception is located; except that, in cases under Section 59-G.2.43 relating to public utility structures, and Section 59-G.2.31 relating to hospitals, and Section G-2.35 relating to housing and related facilities for elderly or handicapped persons, the Board may approve a structure exceeding the number of stories or the height limit otherwise permitted in the relevant zone if, in the opinion of the Board, adjacent residential development will not be adversely affected.
 - (b) Parking Requirements. Special exceptions shall be subject to the parking requirements of article E.
 - (c) Area, Frontage, and Setback Requirements. Wherever in division 59-G-2 except in the case of a community redevelopment area, no specific area, frontage and setback requirements are specified, then the area, frontage and setback requirements in the applicable zone shall apply; provided, that in the following special exception cases the board shall be authorized to waive the requirement for a minimum frontage at the street line if it finds that the facilities for ingress and egress of vehicular traffic are adequate to meet the requirements of section 59-G-1.21:
 - (1) Rifle, pistol and skeet-shooting range, outdoor.
 - (2) Sand, gravel or clay pits, rock or stone quarries.
 - (3) Sawmill.
 - (4) Cemetery, animal.
 - (5) Public utility buildings and public utility structures, including radio and T.V. broadcasting stations.
 - (6) Riding stables.
 - (7) Heliport and helistop.
- 59-G-1.24 Neighborhood Need. In addition to the findings required in section 59-G-1.21 and division 59-G-2, the following special exceptions may be granted when the board, the director or the district council, as the case may be, finds from a preponderance of the evidence of record that for the public convenience and service a need exists for the proposed use for service to the population in the general neighborhood considering the present availability of such uses to that neighborhood:

APPENDIX C

MONTGOMERY COUNTY ZONING ORDINANCE

ARTICLE 59-G-2.13 CHILD OR ELDERLY DAY CARE FACILITIES

- (a) A child or elderly day care facility or center for up to forty individuals may be allowed, upon a finding by the Board:
 - (1) That such use will not constitute a nuisance because of traffic, insufficient parking, number of individuals being cared for, noise or type of physical activity; and
 - (2) That, if a child care facility, there is ample indoor and outdoor play space, free from hazard, appropriately equipped for the age and number of children cared for, and readily accessible.
- (b) A child or elderly day care facility or center for more than forty individuals may be allowed, upon a finding by the Board:
 - (1) That such use will not constitute a nuisance because of traffic, insufficient parking, number of individuals being cared for, noise or type of physical activity; and
 - (2) That, if a child care facility, there is ample indoor and outdoor play space, free from hazard, appropriately equipped for the age and number of children cared for, and readily accessible; and
 - (3) That, if a child care facility, the area of the property contains no less than 500 square feet per child being cared for.
- (c) The requirements of this section shall not apply to child or elderly day care facilities or centers which are operated by a nonprofit organization in buildings, structures or on premises owned or leased by a religious organization and which premises are regularly used as a place of worship, or are located on premises owned or leased by a religious organization adjacent to premises regularly used as a place of worship, or are used for private parochial education purposes which are exempted under the provisions of this section for private educational institutions or are located in publicly owned school buildings.

SOURCE: Zoning Ordinance of Maryland-Washington Regional District in Montgomery County. Chapter 59, Recodified July 1984 (Laws of Montgomery County, 1985, Chapter 25).

APPENDIX D

TABLES 1 - 29

Table 1
SUMMARY OF PERMISSIBILITY OF CHILD DAY CARE IN SELECTED AREA ZONING ORDINANCES
1966

Jurisdiction	Threshold Number of Children	All Zones	RESIDENTIAL			Multifamily	COMMERCIAL		INDUSTRIAL		CSD/ Town Center Mixed Use Zones	Transit Station	Special Purpose Zones
			Rural and/or Agricultural	Single Family Zones	Town House		All Zones	Selected Zones	All Zones	All Excluding Heavy Industrial			
Montgomery County, Maryland	5 7		SE	SE (except R-4 plus)	SE*	SE		P (SE in C-4)	P (SE in I-2)		P	SE	
Gaithersburg, Maryland**	5/6	SE (except R-90 & R-6)						P (SE in Tran- sitional Zone)	P (in I-3 only)		P		
Rockville, Maryland	7	SE (age limit - 9 years in multi family building)					N		N		P		
Alexandria, Virginia	6-9 9+			SE (in churches only)	SE	SE		SE (N in C-4, unused zone)	N N				P (in 2 of 3 zones) P
Arlington, Virginia	4	SE					SE		SE				
Fairfax County, Virginia**	up to 5 6-9 6-99 100+	P (as home occupation with permit signoff by zoning administrator) SP SP SE						P (C-1-C-4) P (C-1-C-8)	SP (C-5-C-8) SP (P in Industrial) SE (for Office Park)		P (as accessory use in most zones) P		
Fredericks County, Maryland	4		SE (P in Churches)	SE	P	P		P	N	(where P, requires development review)			
Howard County, Maryland	7	SE (except mobile home)					SE		SE (P in W-1 or W-2)				P
Loudoun County, Virginia	up to 15 15+	P SE						P (in C-1) P (in C-1)	N N		P (in PD-H) P (and PD-SA)		
Prince George's County, Maryland	6	SE					P (with conditions except C-W) SE (all others)		P (I-1-I-3 with conditions) SE (All others)				
Washington, D.C.	6	SE (P in R-6, P for up to 15 is R-4)					P		P				P

81

KEY: P = Permitted
SE = Special Exception or Use Permit
N = Not Specifically Permitted

* The decision to require an SE for centers of more than 4 children was made by the County council in a recent review.

** Gaithersburg is in the process of revising the threshold number of children for consistency and is considering adding child care as a special exception use in R-6.

*** Fairfax is reviewing the ordinance and is giving consideration to allowing family day care centers of 6-9 as a matter of right in single family detached homes with a lot size of at least, 10,000 square feet.

Source: Siegerich & Associates, Inc.

Note: Zones were compared on the basis of primary use only

Table 2
TERMINOLOGY USED FOR GROUP DAY CARE
Selected Area Jurisdictions
1986

Montgomery County, Maryland	Child or elderly day care facility - under 18 or over 60 years of age.
Gaithersburg, Maryland	Child day care center.
Rockville, Maryland	Child care home or center - more than 6 children under age 16.
Arlington, Virginia	Nursery school - 4 or more children under age 6.
Alexandria, Virginia	Child care home - not more than 9 children under age 14. Day nursery 6+ children under age 14.
Fairfax, Virginia	Home day care facility - no more than 5 children. Family day care home - 6-9 children. Child day care center - 6+ children.
Frederick, Maryland	Nursery school - 4 or more children under age 7.
Howard County, Maryland	Day care center - 5 or more children.
Loudoun County, Virginia	Private school.
Prince George's County, Maryland	School, private - 6+ children. New legislation uses the term day care center.
Washington, D.C.	Day care - less than 5 children. Child development center - 6+ children age 15 and under. Child development home - no more than 5 children age 15 and under.

Source: Giegerich & Associates

Table 3 - A
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Montgomery County, Maryland
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
5/7	Special Exception Board of Appeals	- o Permissible special exception in the zone - o Consistant with the General Plan and Master Plan - o In harmony with the character of the neighborhood considering population, density, design, scale and bulk of new structures, intensity and character of activity, traffic and parking - o Not detrimental to use, peaceful enjoyment, economic value or development of surrounding property and neighborhood - o No objectional noise, vibration, fumes, odors, dust, glare or physical activity - o No adverse affect on health, safety, security, morals or general welfare - o Served by adequate public facilities - o Height limitations, area, frontage, parking, and setbacks conform to the zone unless specified
		<u>Special Conditions</u>
		* Up to 40 Individuals - o No nuisance from traffic, insufficient parking, number of individuals, noise, type physical activity - o Ample indoor/outdoor play space, free from hazard, appropriately equipped for age and number of children, readily accessible * More Than 40 Individuals - o Same as above, except in addition area of property may contain no less than 500 square feet per child being cared for * These special requirements not applicable to nonprofit organizations or private parochial educational institutions, which are located in publicly owned school buildings or in churches.

Source: Giegerich & Associates

Table 3 - B
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Gaithersburg, Maryland
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
5/6	Special Exception	- o Complies with procedural requirements and permissible in the zone - o Consistent with master plan and other guides and development programs
	Board of Appeals	- o In harmony with neighborhood (population density, design, scale & bulk new structures, or converted structures, intensity & character of activity traffic, parking) - o Not detrimental to use, peaceful enjoyment, economic value or development surrounding property - neighborhood - o No objectionable noise, vibration, fumes, odor, dust, glare, physical activity - o No adverse effect health, safety, security, morals, general welfare - o Served by adequate public facilities - o In residential zones, have exterior appearance of residential buildings and suitable landscaping, screening or fencing whenever practicable
		<u>Special Conditions</u>
		- o Constructed and maintained with noise attenuation materials to prevent noise in excess of 65 dba in adjoining uses, common areas or public ways - o Outdoor play area abutting improved residential property to be used only between 8:00 A.M. and 6:00 P.M. - o Facilities for more than 40 children at one time shall have at least 1,000 square feet of gross lot or parcel area per child. - o Use in any wood frame structure or building conditioned on installation and maintenance of approved sprinkler system of light hazard classification

Source: Giegerich & Associates

Table 3 - C
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Rockville, Maryland
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
7	Special Exception Board of Appeals	- o Use does not violate or adversely affect the Plan, zoning ordinance or other law - o Does not adversely affect health or safety - o Does not overburden public facilities - o Is not detrimental to use or development of adjacent property or neighborhood - o Does not change the character of the neighborhood in terms of services, population density, character
<u>Special Conditions</u>		
Use will not constitute nuisance because of traffic, number of children, noise, type physical activity		
* Following development requirements not applicable non-profit organizations on premises owned/leased religious organizations or private parochial educational purposes		
* 7 - 10 Individuals		
o Lot area 7,000 square feet; Lot frontage 70 feet		
* 11 - 20 Individuals		
o Lot area 10,000 square feet; Lot frontage 100 feet; Building setbacks 25 feet all lot lines		
* 21 - 40 Individuals		
o Lot area 20,000 square feet; Lot frontage 150 feet; Building setbacks 25 feet at all lot lines.		
* 41 + Individuals		
o Lot area 30,000 square feet plus 500 square feet each child over 40; Lot frontage 200 feet; Building setbacks 25 feet at all lot lines		
Note: Area, frontage, setback requirements not applicable to multi-family dwellings -- However, no day care for children over age 9 permitted in multi-family dwelling		

Source: Giegerich & Associates

Table 3 - D
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Alexandria, Virginia
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
6 +	Special Use Permit City Council	- o Plans to control impact from the following sources must be provided with the Special Permit application - o Noise - levels of mechanical noise and control of mechanical and patron noise - o Odors - o Trash - include type and volume and control of litter on site, the streets and nearby properties - o Loading/Unloading facilities - o Parking - location on site or within 300 feet and number of spaces available to serve staff and patrons - o Streets - design capacity of all streets on which the use has frontage - o Use capacity - including staff and patrons - o Hours of operation - o Loitering - o Hazardous materials - o Organic components The use must also comply with the following: - No adverse affect on persons working/residing in the neighborhood - Not detrimental to the public welfare or injurious to property or improvements in the neighborhood - In accord with the purposes of the Master Plan <u>Special Conditions</u> - o No play yard required for age 2 and under - o No play yard required within 500 feet of available park or playground - o All other cases, 75 square feet per child on plot, fencing unless there is other protection from hazard and traffic

Source: Giegerich & Associates

Table 3 - E
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Arlington, Virginia
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
4	Use Permit	o No adverse effect on persons working/residing in the neighborhood
	County Board	- o Not detrimental to the public welfare or injurious to property or improvements in the neighborhood - o In accord with the purposes of the Master Plan
		<u>Special Conditions</u> - o The County Code, not the zoning ordinance, requires a safe, fenced play area of 75 square feet per child using it at one time - o In C-O and R-A zoning districts the play area shall be available and safely accessible - o Fencing is not required if the play area has other proper protection from traffic and other hazards

Source: Giegerich & Associates

Table 3 - F
SPECIAL EXCEPTION CONDITIONS FOR CHILD DAY CARE CENTERS
Fairfax County, Virginia
1986

Threshold Number
of Children

Up to 6

Type of Permit

Letter of
Approval

Zoning
Administrator

General Conditions

- o Located in operator's residence or an accessory building on the site
- o No exterior evidence of use other than residential use
- o No equipment or process creating noise, vibration, fumes, glare or odors or interference with radios or television
- o Mechanical and electrical equipment customarily found in dwellings only
- o No display of goods or outside storage of materials
- o No employees
- o No signs
- o No more than one commercial vehicle
- o Premises open to inspection at reasonable hours
- o Building permits obtained as necessary

Special Conditions

- o No more than five children at one time. Up to ten children in a 24 hour period

6 - 99

Special
Permit

Board of
Zoning
Appeals

General Conditions

- o In harmony with adopted comprehensive plan and purpose and intent of applicable zoning regulations
- o In harmony with use or development of neighboring property including location, height and size of structures and nature and extent of screening, buffering and landscaping
- o Pedestrian and vehicle traffic will not interfere with or be hazardous to present and future traffic in the area
- o Adequate draining, utility, drainage, parking, loading and other necessary facilities

Special Conditions

- o BZA requires a copy of the Health Department Report indicating capacity, need for fencing, adequate sanitary facilities and adequate outdoor space
- o Must conform with specified performance standards
- o 100 square feet of usable outdoor recreation space for each child who may use it at any one time
 - Area not covered by buildings or onsite parking
 - Outside the limits of the required front lawn
 - Developable for outdoor recreation purposes
 - No more than 80% of the combined required rear and side yards
- o Indoor recreation space in accordance with County Code
- o Direct access to existing or programmed public street adequate for traffic based on projected trip generation, trip distribution and type and service area

Guidelines

Number of Persons

4 - 75
76 - 660
660 +

Street Type

Local
Collector
Arterial

- o Located to permit pickup and delivery of all persons on site

Table 3 - G
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Frederick County, Maryland
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
4	Special Exception	- o In harmony with the purpose and intent of the comprehensive development plan - o Nature and intensity of operations and size of site such that the proposed use will be in harmony with the appropriate and orderly development of the neighborhood - o Not objectionable to nearby properties by reason of noise, fumes, vibration, or other characteristics - o Parking will comply with off street regulations of the chapter, will be screened from adjoining residential uses and the entrance and exit will be laid out to achieve maximum safety - o The road system providing access is adequate to serve the sites intended use
		<u>Special Conditions</u>
		- o Minimum lot size of 12,000 square feet and width of 100 feet - o Yard setback 25 feet from all property lines - o Attendance at one time shall be one pupil per 1,000 square feet of lot area in C, A, R-1 and R-3 (low density) residential zones and one per 500 square feet in R-5 and R-8 - o Play area must be fully fenced - o Property must have frontage and access to a paved road

Source: Giegerich & Associates

Table 3 - H
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Howard County, Maryland
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
7	Special Exception Board of Appeals	- o In regard to the location, size of use, nature and intensity of operations, size of site in relation to use, and location in regard to access streets, the use will be in harmony with General Plan - o Will not adversely affect vicinal properties - o Nature and height of structures and nature and extent of landscaping will not hinder or discourage development and use of adjacent properties - o Parking will be adequate, properly located and screened - o Ingress and egress drives will be laid out for maximum safety
		<u>Special Conditions</u> - o Meets State and County regulations - o Bulk regulations conform to the zoning district - o Rear and side setbacks with screening conform to the zoning districts

Source: Giegerich & Associates

Table 3 - I
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Loudoun County, Virginia
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
15 +	Special Exception Board of Zoning Appeals	- o Preserve agricultural character of the County - o Preserve ground water supply where it is limited - o Prevent overcrowding in relation to existing or available community facilities - o Facilitate orderly highway development and transportation - o Protect residential sections from unnecessary traffic, fire hazard, noise, fumes, odors, or other unwholesome conditions or influences - o In harmony with adopted comprehensive plan - o In harmony with the purpose and intent of applicable zoning regulations - o Will not adversely affect use or development of neighboring properties - o Location, size, height or structures and nature and extent of screening, buffering and landscaping will not hinder appropriate development and use or impair the value of neighboring properties

Source: Giegerich & Associates

Table 3 - J
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Prince George's County, Maryland
1986

Threshold Number
of Children
6

Type of Permit
Permitted
With
Conditions

Special Conditions

- o Located on or abutting a lot or group of lots containing office building(s) with a gross floor area of, at least, 100,000 square feet
- o One hundred square feet per child usable outdoor play area at least 25 feet from the nearest dwelling enclosed by 3 foot high fence or wall
- o Off premises play area must be proximate to the main day care center and safety accessible without crossing (at grade) a street, driveway or other hazardous area
- o Outdoor play only between 8 AM and 7 PM
- o Sufficient lighting for outdoor requirements
- o Detailed approved site plan
- o In addition to standard requirements, the site plan must show
 - proposed enrollment
 - location and use of all buildings on adjacent lots
 - location, size and dimensions of outdoor play areas
- o Enrollment means total number of students enrolled at one time, if there are several sessions, the highest enrollment will be used

Special
Exception

Zoning
Hearing
Examiner

General Conditions

- o In harmony with Special Exception subtitle of the zoning ordinance
- o In compliance with all applicable requirements and regulations of the ordinance
- o Will not impair the integrity of any approved Master Plan, Functional Master Plan or in their absence, the General Plan
- o Will not adversely affect the health, safety or welfare of residents or workers in the area
- o Will not be detrimental to the use of development of adjacent properties or the general neighborhood

Special Conditions

- o Council may specify maximum number of children, the number may not be increased by State or local health, education or fire regulations
- o One hundred square foot usable play area per child located, at lease, twenty-five feet from any dwelling on an adjoining lot and enclosed by a substantial wall or fence at least three feet high
- o Allowed in I-1, I-2, I-4 and C-M zones only if the Council finds that existing uses in the neighborhood, particularly adjacent properties, will not adversely effect this use
- o In addition to the standard requirements, the site plan must show:
 - character of the proposed use
 - proposed enrollment
 - location of all dwellings on adjoining lots
 - location and size of play and activity areas
 - location, quantity and type of screening and landscaping
- o Enrollment means total number of students enrolled at one time, if there are several sessions the highest enrollment shall be used

Table 3 - K
SPECIAL EXCEPTION CONDITIONS FOR GROUP DAY CARE CENTERS
Washington, D.C.
1986

<u>Threshold Number of Children</u>	<u>Type of Permit</u>	<u>General Conditions</u>
6	Special Exception Board of Zoning Adjustment	- o In harmony with the general purpose and intent of the Zoning Regulations and Maps - o Will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps <u>Special Conditions</u> - o Center shall be capable of meeting all applicable code and licensing requirements - o Located and designed to create no objectionable traffic conditions and no unsafe situation for picking up or delivering children - o Sufficient off street parking to meet the reasonable needs of teachers, other employees and visitors - o No objectionable impacts on adjacent or nearby properties due to noise, activity, visual or other requirements to protect adjacent or nearby properties - o Safe access to off-site play areas - o More than one child care center may be approved in a square or within 1,000 feet of another center only if the Board finds that the cumulative effect will not have an adverse impact on the neighborhood due to noise, traffic or similar factors - o Before final action, the application will be submitted to the D.C. Department of Public Works and Human Services and the Office of Planning for review and written comment - o D.C. Department of Human Services will advise as to whether the center meets all licensing requirements

Source: Giegerich & Associates

Table 4
PARKING REGULATIONS FOR CHILD DAY CARE CENTERS
Selected Area Jurisdictions
1986

- | | |
|--------------------------------------|---|
| 1. Montgomery County, Maryland | No specific requirements. Handled during special exception process. |
| 2. Gaithersburg, Maryland | One space per employee. |
| 3. Rockville, Maryland | No specific requirements. Handled during special exception process. |
| 4. Alexandria, Virginia | Two spaces for each classroom for a day nursery of 9+ children. |
| 5. Arlington, Virginia | One space for each employee for nursery schools. |
| 6. Fairfax County, Virginia | Two spaces for every three employees "plus a sufficient number of spaces to accommodate all persons who may be at the establishment at any one time under normal operating conditions". |
| 7. Frederick County, Maryland | Two spaces for each classroom but not less than six spaces if it is in a separate building; otherwise, determined during the review process. |
| 8. Howard County, Maryland | Minimum one space per 400 square feet of usable floor area - review is also based on the number of employees. |
| 9. Loudoun County, Virginia | One space for every five students. |
| 10. Prince George's County, Maryland | One space for every six students. |
| 11. Washington, D.C. | One space for every four teachers and other employees. |

Note: This information was verified by Government staff in each jurisdiction.

Source: Giegerich & Associates

Table 5
ENROLLMENT DATA
Small Child Care Facilities
1986

Center	Jurisdiction	Center Capacity	Current Enrollemnt		Summer (Typical)	School-Year (Typical)
			Full-Time	Part-Time		
A	Prince George's	10	9	0	9 - 10	10
B	Arlington	9	7	1	7	9
C	Montgomery	20	14	3	14	20
D	Prince George's	15	15	0	15	15
E	Prince George's	12	7	0	7 - 8	12
F	Arlington	7	3	1	7	7
G	Arlington	9	9	0	9	9
H	Montgomery	10	4	26	30 (a)	30 (a)
I	Prince George's	12	12	0	12	15 (a)
J	Prince George's	15	15	0	13	15
K	Prince George's	15	15	0	15	15

(a) Part-time

Source: Child Care Management Resources

Table 6
HOURS OF OPERATION
Small Child Care Facilities
1986

<u>Opening Time</u>		<u>Closing Time</u>	
6:00 A.M.	2	5:00 P.M.	1
6:30	1	5:45	1
7:00	6	6:00	7
7:30	2	6:30	2

Days Closed

Legal Holidays	2
Christmas Week	1
Thanksgiving Week	1
Public School Vacation	0
Summer Vacation	0

(n = 11)

Source: Child Care Management Resources

Table 7
NUMBER OF EMPLOYEES
Small Child Care Facilities
1986

<u>Center</u>	<u>Jurisdiction</u>	<u>Licensed Capacity</u>	<u>Number of Employees (1)</u>		<u>Staff/Child Ratio</u>
			<u>Full-Time</u>	<u>Part-Time</u>	
A	Prince George's	10		1 (Flexible)	1/5
B	Arlington	9	1	1	1/3 (a)
C	Montgomery	20	1	3	1/5
D	Prince George's	15	1	0	1/10 (b)
E	Prince George's	12	0	1	1/6
F	Arlington	7	0	1	1/3 or 1/4
G	Arlington	9	0	2	1/3
H	Montgomery	10	0	2	1/3 or 1/10
I	Prince George's	12	0	0	1/12 (b)
J	Prince George's	15	0	2	1/7
K	Prince George's	15	3	0	1/5

(1) In addition to the full-time operator

(a) Serves children 2 years and under

(b) Serves school age children

Source: Child Care Management Resources

Table 8
 PROFILE OF CENTER OPERATORS AND OPERATIONS
 Small Child Care Facilities
 1986

Center	Jurisdiction	Year License <u>Issued</u>	Does Operator <u>Live On Premises?</u>	Changes Made <u>In Yard</u>	Were Changes <u>Required?</u>
A	Prince George's	1978	Yes (Has an Apt. in the Building)	No	N.A.
B	Arlington	1985	Yes	Fence	Yes
C	Montgomery	1984	No	Fence, Outdoor Equipment	Yes
D	Prince George's	1977	Yes	Fence, Outdoor Equipment	Yes
E	Prince George's	1979	Yes	Fence	Yes
F	Arlington	1984	Yes	Fence (Moved it out 20 Ft.)	No
G	Arlington	1986	Yes	Fence (Replaced Portions)	Yes
H	Montgomery	1981	Yes	Landscaping, Deck Playhouse	No
I	Prince George's	1983	Yes	Fence (Added on to existing Fence) Built a Shed	Yes
J	Prince George's	1966	Yes	Garage Converted to Center, Installed Fence	Yes
K	Prince George's	1962	Yes	Fence	Yes

Source: Child Care Management Resources

Table 9
TRANSPORTATION SURVEY OF OPERATORS
Small Child Care Facilities
1986

Center	Center Location	Total Center Enrollment	Children From Neighborhood (10 Blocks)	Other Locations
A	Riverdale, Maryland	9	8	District of Columbia
B	South Arlington	8	5	Vienna, McLean, South Arlington
C	Silver Spring, Maryland	17	4	Other Parts of Silver Spring Wheaton (Majority within 5 Miles of Other Parts of Montgomery County
D	Landover, Maryland	15	1	Hyattsville, Mitchellville, Cherry Hill (Within 5 Miles or More)
E	Landover, Maryland	7	1	Laurel, Hyattsville, Upper Marlboro, Largo, Other Parts of Landover
F	North Arlington	4	0	Other Parts of Arlington Fairfax (Works in Arlington)
G	North Arlington	9	0	Rockville, Other Parts of Arlington, Fredericksburg (This is an Elderly Neighborhood)
H	Potomac, Maryland	30	2	Other Parts of Potomac, Bethesda, Silver Spring, Gaithersburg, Olney

Table 9 (Cont'd.)

Center	Center Location	Total Center Enrollment	Children From Neighborhood (10 Blocks)	Other Locations
I	Greenbelt, Maryland	12	12	0 It Is an After-School Program
J	Fort Washington, Maryland	15	2	Forestville (Majority Come From Other Parts of Fort Washington)
K	College Park, Maryland	15	6	Come From Within 3 Miles In Other Parts of Prince George's County
		—	—	
	Total	141	41	

Source: Child Care Management Resources

Table 10
TRANSPORTATION PROVIDED BY OPERATORS
Small Child Care Facilities

<u>Transportation Provided</u>	<u>Number of Centers</u>
Provide Transportation	7
Do Not Provide Transportation	4
<u>TYPE OF TRANSPORTATION</u>	
Uses Own Car/Van	6
Leases Van	1
Parents Drive	1
(n = 11)	

Source: Child Care Management Resources

Table 11
PLAY ARRANGEMENTS FOR CHILDREN
Small Child Care Facilities
1986

<u>Play Area</u>	<u>Number of Centers (1)</u>
In Play Lot	10
Throughout Center Grounds	3
At Park Site	6
At School Site	2

(n = 15) Multiple answers were given

Source: Child Care Management Resources

Table 12
METHOD OF TRANSPORTATION
Small Child Care Facilities
1986

Center	Jurisdiction	Automobile
A	Prince George's	4
B	Arlington	6
C	Montgomery	17
D	Prince George's	15
E	Prince George's	7
F	Arlington	4
G	Arlington	9
H	Montgomery	30
I	Prince George's	11
J	Prince George's	15
K	Prince George's	13
Total		131
Percent of Total		92.9

D-24

Source: Child Care Management Resources

Table 12
 TRANSPORTATION TO CENTER
 Health Care Facilities
 1986

Mode	On Foot	Public Transit	Total
	5	0	9
	2	0	8
	0	0	17
	0	0	15
	0	0	7
	0	0	4
	0	0	9
	0	0	30
	1	0	12
	0	0	15
	2	0	15
	10	0	141
9	7.1	0.0	100.0

Notes

1

Table 13
START-UP COSTS
Small Child Care
1986

Center	Established	Total Rehabilitation and Approval Expenditures	Direct Approval Costs
A	1968	\$15,750	\$150
B	1985	\$ 2,615	\$ 25+
C	1984	\$21,200	\$300
D	1977	\$15,000	\$300
D-25 E	1979	\$ 5,000	\$ 50
F	1984	\$ 300	\$125
G	1986	\$ 3,200	\$175
H	1981	\$ 6,000	\$160
I	1983	\$6-10,000	\$485
J	1966	\$10-15,000	
K	1962	\$1,600	\$ 50

Source: Child Care Management Resources

Table 13
 RT-UP COSTS
 Old Care Facilities
 1986

al Costs	Professional Services	Alterations to Meet Codes and Other Costs
	\$500 - \$600 (lawyer & accountant)	-
	\$150 (accountant)	\$ 240
	\$1,300 (lawyer & accountant)	\$1,600
	\$175 (accountant) \$2,000-\$3,000 (attorney)	\$2,100-\$2,200
	Legal Fee	\$400 - \$500
		\$150
	\$200 (accountant)	\$1,720
	\$500-\$700 (lawyer)	\$3,500
	Bartered legal services for child care	\$4,500
		\$ 322
	\$300 (lawyer)	\$ 250

Table 14
COST PRO-FORMA FOR SMALL CHILD CARE FACILITIES
15 CHILD FACILITY IN EXISTING SINGLE FAMILY RESIDENCE
1986

Average Construction Costs for Improvements

Interior	-- Demolition	\$ 1,000
	-- Plumbing & Toilet Room	2,500
	-- Sink	400
	-- Partitioning Around Exist HVAC	800
	-- Limited Area Sprinklers at Furnace & Hot Water Tank	800
	-- Enclose Stairway From Above	1,000
	-- New Gypsun Wallboard Ceiling	900
	-- Flooring - Tile &/or Carpet	1,600
	-- Paneling or Painted Walls	900
	-- Exit Doors	750
	-- Emergency Lighting	150
	-- Added Convenience Outlets	200
	-- Added Flourescent Lighting	<u>300</u>
		\$11,300
Exterior	-- Paved Area @ Exit Door	800
	-- Fence 3' H. Chain-Link w/6' H. Solid Wood Nearest Adjacent Dwellings	1,500
	-- Tot-lot Equipment	4,000
	-- Landscaping	<u>2,000</u>
		\$19,600
Permits	-- (Special Exception, Building, Health, Electrical)	200
Fees	-- (Legal, Design)	<u>1,200</u>
	TOTAL	\$21,000

Source: John Elicker, A.I.A.

Table 15
 PROFILE OF NEIGHBORS
 Small Child Care Facilities
 1986

<u>Daytime Activities</u>	<u>Number</u>	<u>Percent</u>
Home Most of the Day	9	52.9
Home Part of the Day	3	17.7
Sleeping During the Day	0	0.0
Work During the Day	5	29.4
	---	----
Total	17	100.0

<u>Occupations of Neighbors</u>	<u>Number</u>	<u>Percent of</u>
Homemaker	5	41.7
Home Based Business	5	41.7
Retired	1	8.3
Student	1	8.3
No Answer	5	--
	----	-----
Total	17	100.0

Source: Child Care Management Resources

Table 16
NEIGHBORS ATTITUDES TOWARDS CENTER
Small Child Care Facilities
1986

<u>Attitude</u>	<u>Number</u>	<u>Percent</u>
Very Enthusiastic	2	11.8
Positive	13	76.4
Neutral	1	5.9
Uncomfortable	1	5.9
Very Negative	0	0.0
	--	-----
Total	17	100.0

Source: Child Care Management Resources

Table 17
NEIGHBORS VANDALISM, LITTER, NOISE PROBLEMS
Small Child Care Facilities
1986

<u>Response</u>	<u>Vandalism</u>	<u>Litter</u>	<u>Noise</u>
Yes	0	0	0
No	17	17	17
Uncertain	0	0	0

(n = 17)

Source: Child Care Management Resources

Table 18
NEIGHBORS PERCEPTIONS REGARDING TRAFFIC
Small Child Care Facilities
1986

<u>Response</u>	<u>Number</u>	<u>Percent</u>
Traffic Has Increased Substantially	1	5.8
Traffic Has Increased Slightly	8	47.1
Traffic Has Not Increased	8	47.1
	----	-----
Total	17	100

Source: Child Care Management Resources

Table 19
NEIGHBORS PERCEPTION OF
CONTROL AND SAFETY OF CHILDREN
Small Child Care Facilities
1986

<u>Response</u>	<u>Adequate Control</u>	<u>Adequate Supervision and Fencing</u>
Yes	16	15
No	0	0
Uncertain	1	2
(n = 17)		

Source: Child Care Management Resources

Table 20
 OPERATORS COOPERATION WITH NEIGHBORS
 Small Child Care Facilities
 1986

<u>Response</u>	<u>Provider Has Been Cooperative</u>	<u>Provider Has Responded To Complaints</u>
Yes	11	6
No	1	0
Uncertain	5	5
No Complaints	0	2
Other (Difficult)	0	3
No Answer	0	1

(n = 17)

Source: Child Care Management Resources

Table 21
 CENTER IMPACT ON RESALE VALUE OF NEIGHBOR'S PROPERTY
 Small Child Care Facilities
 1986

<u>Response</u>	<u>Number</u>
Positive Impact	1
Negative Impact	1
No Impact	6
Uncertain	3
Not Applicable (Renter)	2
No Answer	4

(n = 17)

Source: Child Care Management Resources

Table 22
PARENT TRANSPORTATION SURVEY RESPONSES
For Small Group Day Care Centers
1986

Question	Riverside (A)	Arlington (B)	Landover (E)	Arlington (F)	Arlington (G)	Potomac (H)	Greenbelt (I)	Vienna (L)	Arlington (M)	Total	
										Number	Percent
1. Means of Transportation:											
By Car	3	3	6	4	4	8	2	7	2	39	93.0%
On Foot	1	1					1			3	7.0%
Mass Transit											
Other											
2. Origin of Trips:											
Home	3	4	3	2	4	3	3	6	1	29	69.0%
Office	1		3	2		3		1	1	11	26.0%
Other						2				2	5.0%
3. Destinations:											
Home	2	1	4	2	1	4		2	1	17	40.0%
Office	2	3	2	2	3	2	3	4	1	22	52.0%
Other Day Care Center						2		1		3	7.0%
Other											
4. Stools:											
None	4	4	3	3	2	4		5	2	27	64.0%
One or More			3	1	2	4	3	2		15	36.0%
5. Number of Children Picked-up or Delivered:											
1	2	3	6	4	4	8	2	7	1	37	88.0%
2	2	1					1		1	5	12.0%
3 or More											
6. In Carpool							1			1	2.0%
Not in Carpool	4	4	6	4	4	8	2	7	2	41	98.0%
7. Number of Trips:											
2 Per Day	4	4	6	4	4	6	3	5	1	37	88.0%
10 Per Week	3	4	6	4	4	3	3	5	1	33	79.0%
Other	1					7		2	1	9	21.0%

* A, & 9.

Table Continued On The Next Page

Table 22 Continued

10. Variation During School Years:											
None	4	3	5	3	4	2	2	7	1	32	76.0%
Drives Summer Only				1		2			1	4	10.0%
Other		1	1			4	1			6	14.0%
11. Variation in Bad Weather:											
Yes	1	2	1	1		3	1	1		10	24.0%
No	3	2	4	3	4	5	1	6	2	30	71.0%
No Answer			1				1			2	5.0%
12. Public Transit:											
Yes	1	2	1	1						5	12.0%
No	3	2	5	3	4	8	3	7	2	37	88.0%
13. Parkings:											
Good	3	4	5	2	2	8	3	3	1	32	76.0%
Average			1	2	2			3	1	9	21.0%
Difficult								1		1	2.0%
Extremely Difficult											
No Answer	1									1	2.0%
14. Parkings:											
More Difficult AM			1					1		2	5.0%
More Difficult PM	1		1							2	5.0%
Same	2	4	4	4	4	8	3	4	2	35	83.0%
Drive One Way Only								2		2	5.0%
No Answer	1									1	2.0%
15. Degree of Safety:											
Very Safe	4	4	3	3		8	3	7	2	34	81.0%
Reasonable Safe			2	1	3					6	14.0%
Unsafe			1		1					2	5.0%
Extremely Dangerous										0	0.0%
16. Safety Issues:											
Positive Comment						1			2	3	7.0%
None	2	3	3	1		5	2	3		19	45.0%
Negative Comment	2	1	3	3	3	2	1	2		19	45.0%
No Answer					1					1	2.0%
17. Locations:											
Closer to Work			1		1					2	5.0%
Closer to Home		1	1	1	2	1		2		8	19.0%
Same	4	2	3	3	1	7	3	5	2	30	71.0%
Other		1	1							2	5.0%

Table Continued On The Next Page

Table 22 Continued

18. Age of Child:

Under 2		2			4			3		9	28.0%
2	2	3				2	1	1		9	28.0%
3	1		2	2		3		1	2	11	24.0%
4	2		3	1		2		1		9	28.0%
5	1							1		2	4.0%
6			1							1	2.0%
7										8	8.0%
8										8	8.0%
9							2			2	4.0%
Over 9				1		1				2	4.0%

D-36 Questions 8 and 9 have been omitted since the data is not suited to this type of tabulation.

Note: Percentages may not total 100.0% due to rounding.

Source: Giegerich & Associates

Table 23
PARENT TRANSPORTATION SURVEY RESPONSES
Large Group Day Care Centers
1986

Question	Silver Spring (C)	Landover (D)	Fort Washington (J)	College Park (K)	Capitol Heights (M)	Laurel (O)	Total	
							Number/Percent	
1. Means of Transportation:								
By Car	9	2	6	9	6	5	37	100.0
On Foot							0	0.0
Mass Transit								
Other								
2. Origin of Trips:								
Home	7	1	5	7	4	4	28	76.0
Office	2	1	1	2	2	1	9	24.0
Other							0	0.0
3. Destinations:								
Home	3	1	3	3	2	2	14	38.0
Office	6	1	3	6	4	3	23	62.0
Other							0	0.0
4. Stops:								
None	7	1	3	8	4	5	28	76.0
One or More	2	1	3	1	1		8	22.0
No Answer					1		1	3.0
5. Number of Children Picked-up or Delivered:								
1	9	1	5	6	6	5	32	86.0
2		1	1	3			5	14.0
3 or More								
6. Carpool:								
Yes							0	0.0
No	9	2	6	9	6	5	37	100.0
7. Number of Trips								
Per Day:								
2	8	2	6	8	6	5	35	95.0
Other	1						1	3.0
Per Week:								
10	7	2	4	8	5	5	31	84.0
Other	2		2				4	11.0
No Answer				1	1		2	5.0

Table continued on next page

Table 23 continued
A. & S.

10. Variation During
School Years:

Yes	1		1				2	5.0
No	8	2	5	8	6	5	34	92.0
No Answer				1			1	3.0

11. Variation in
Inclement Weather:

Yes	2	1	3	1		1	8	22.0
No	7	1	3	7	6	4	28	76.0
No Answer				1			1	3.0

12. Public Transit:

Yes			2		2		4	11.0
No	9	2	4	9	4	5	33	89.0

13. Parking:

Good	9	2	6	7	5	1	30	81.0
Average				1		3	4	11.0
Difficult				1			1	3.0
Extremely Difficult						1	1	3.0
No Answer					1		1	3.0

14. Parking:

More Difficult in AM						1	1	3.0
More Difficult in PM	1		1			2	4	11.0
Same	8	2	5	8	5	2	30	81.0
No Answer				1	1		2	5.0

15. Degree of Safety:

Very Safe	9	2	4	7	3	4	29	78.0
Reasonably Safe			2	2	3	1	8	22.0
Unsafe							0	0.0
Extremely Dangerous								

16. Safety Issues:

Positive Comment				1			1	3.0
None	8	1	3	3	3	4	22	59.0
Negative Comment	1		3	3	2		9	24.0
No Answer		1		2	1	1	5	14.0

17. Location:

Closer to Work	1				1	1	3	8.0
Closer to Home			4	1		2	7	19.0
Same	8	2	2	8	4	2	25	70.0
Other							0	0.0
No Answer					1		1	3.0

Table 23 continued

18. Age of Child:

Under 2	1						1	3.0
2	1		1	3	1		6	15.0
3	2		1	4	3		10	25.0
4	5	1	1	3	2	1	13	33.0
5			1	2		2	5	13.0
6						1	1	3.0
7			1				1	3.0
8		2					2	5.0
9							0	0.0
10							0	0.0
No Answer			1				1	3.0

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* Questions 8 and 9 were omitted because they were not suited to this type of tabulation.

Note: Percentages may not total 100.0 due to rounding.

Source: Siegerich & Associates, Inc.

Table 24
SUMMARY OF THE TRAFFIC COUNT
Group Day Care Centers
(7-9 Children)
Residential Zones
1986

Time	Average Trip Generation Per Center	Average Number of Children Dropped Off/Picked Up Per Car	Average Total Vehicle Occupancy Per Car	Average Maximum Number of Cars in Line to Pick Up or Deliver Per Center	Average Number of Children Arriving By Other Means Per Center
	A Arrivals	B Departures			
7:00 - 7:15 AM	0.0	0.0	0.0	0.0	0.0
7:15 - 7:30 AM	0.2	0.2	1.0	0.0	0.0
7:30 - 7:45 AM	1.0	1.0	1.0	0.0	0.2
7:45 - 8:00 AM	0.8	0.8	1.0	0.0	0.0
8:00 - 8:15 AM	0.6	0.8	1.3	0.0	0.0
8:15 - 8:30 AM	0.4	0.4	1.0	0.0	0.0
8:30 - 8:45 AM	0.2	0.2	1.0	0.0	0.0
8:45 - 9:00 AM	0.4	0.0	1.0	0.0	0.0
9:00 - 9:15 AM	0.4	0.0	1.0	0.0	0.0
9:15 - 9:30 AM	0.0	0.0	0.0	0.0	0.0
AM Average Per Interval	0.4	0.4	1.1	0.0	0.0

Table continued on the next page

Table 24 continued

<u>Time</u>	<u>Average Trip Generation Per Center</u>	<u>Average Number of Children Dropped Off/Picked Up Per Car</u>	<u>Average Total Vehicle Occupancy Per Car</u>	<u>Average Maximum Number of Cars in Line to Pick Up or Deliver Per Center</u>	<u>Average Number of Children Arriving By Other Means Per Center</u>
	<u>A</u> <u>Arriving</u>	<u>B</u> <u>Departing</u>			
4:00 - 4:15 PM	0.2	0.2	1.0	2.0	0.0
4:15 - 4:30 PM	0.2	0.2	1.0	2.0	0.0
4:30 - 4:45 PM	0.2	0.2	2.0	3.0	0.0
4:45 - 5:00 PM	0.2	0.2	1.0	2.0	0.0
5:00 - 5:15 PM	1.0	0.6	1.0	2.4	0.0
5:15 - 5:30 PM	1.0	1.0	1.0	2.2	0.0
5:30 - 5:45 PM	0.4	0.6	1.5	2.5	0.0
5:45 - 6:00 PM	0.4	0.4	1.0	2.0	0.4
PM Average Per Interval	0.5	0.4	1.2	2.3	0.1

D-4-1

Source: Giegerich & Associates

Table 25
SUMMARY OF THE TRAFFIC COUNT
Group Day Care Centers
(10-20 CHILDREN)
Residential Zones
1986

<u>Time</u>	<u>Average Trip Generation Per Center</u>		<u>Average Number of Children Dropped Off/Picked Up Per Car</u>	<u>Average Total Vehicle Occupancy Per Car</u>	<u>Average Maximum Number of Cars in Line to Pick Up or Deliver Per Center</u>	<u>Average Number of Children Arriving By Other Means Per Center</u>
	<u>A</u> <u>Arriving</u>	<u>B</u> <u>Departing</u>				
7:00 - 7:15 AM	1.9	1.7	1.1	2.3	0.0	0.1
7:15 - 7:30 AM	0.5	0.5	1.0	2.2	0.0	0.0
7:30 - 7:45 AM	1.0	1.0	1.1	2.5	0.0	0.0
7:45 - 8:00 AM	1.2	0.9	1.3	2.7	0.0	0.1
8:00 - 8:15 AM	0.5	0.6	1.0	2.2	0.0	0.1
8:15 - 8:30 AM	0.8	0.8	1.1	2.1	0.0	0.2
8:30 - 8:45 AM	0.3	0.3	1.0	2.0	0.0	0.2
8:45 - 9:00 AM	0.3	0.3	1.0	2.0	0.0	0.3
9:00 - 9:15 AM	0.2	0.1	1.0	2.0	0.0	0.0
9:15 - 9:30 AM	0.2	0.2	1.5	2.5	0.0	0.0
AM Average Per Interval	0.7	0.6	1.1	2.3	0.0	0.1

12?

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Table 25 Continued

<u>Time</u>	<u>Average Trip Generation Per Center</u>	<u>Average Number of Children Dropped Off/Picked Up Per Car</u>	<u>Average Total Vehicle Occupancy Per Car</u>	<u>Average Maximum Number of Cars in Line to Pick Up or Deliver Per Center</u>	<u>Average Number of Children Arriving By Other Means Per Center</u>	
	<u>A</u> <u>Arriving</u>	<u>B</u> <u>Departing</u>				
4:00 - 4:15 PM	1.0	1.1	1.0	2.2	0.0	0.1
4:15 - 4:30 PM	0.7	0.6	1.0	2.2	0.0	0.0
4:30 - 4:45 PM	0.7	0.8	1.1	2.3	0.0	0.2
4:45 - 5:00 PM	0.8	0.8	1.0	2.5	0.0	0.0
5:00 - 5:15 PM	0.9	0.9	1.3	2.6	0.0	0.0
5:15 - 5:30 PM	0.8	0.6	1.0	2.3	0.0	0.0
5:30 - 5:45 PM	0.8	1.0	1.3	2.7	0.0	0.2
5:45 - 6:00 PM	0.4	0.2	1.0	2.0	0.0	0.1
PM Average Per Interval	0.8	0.8	1.1	2.4	0.0	0.1

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Source: Siegerich & Associates

Table 26
SUMMARY OF AUTOMOBILE ARRIVALS, DEPARTURES AND PARKING
Small Child Care Facilities
1986

Interval	Total Center Related Cars		Average Maximum Number of Cars Parked
	Arrivals	Departures	
7:00 - 7:15 AM	19	17	2.3
7:15 - 7:30 AM	6	6	2.5
7:30 - 7:45 AM	15	15	3.0
7:45 - 8:00 AM	16	13	2.5
8:00 - 8:15 AM	8	10	2.6
8:15 - 8:30 AM	10	10	2.7
8:30 - 8:45 AM	4	4	2.3
8:45 - 9:00 AM	5	3	2.6
AM TOTAL	89	85	2.6
4:00 - 4:15 PM	11	12	2.7
4:15 - 4:30 PM	8	7	2.6
4:30 - 4:45 PM	8	9	2.7
4:45 - 5:00 PM	9	9	2.0
5:00 - 5:15 PM	14	12	3.0
5:15 - 5:30 PM	13	11	3.2
5:30 - 5:45 PM	10	13	3.3
5:45 - 6:00 PM	6	4	3.0
PM TOTAL	79	77	2.8

Source: Giegerich & Associates

Table 27
DISTRIBUTION OF ARRIVALS
Small Child Care Facilities
1986

<u>Time Period</u>	<u>Center Size</u>		<u>Total</u>
	<u>7-9 Children Percent</u>	<u>10-20 Children Percent</u>	
7:00 AM - 8:00 AM	50.0	66.7	62.9
7:30 AM - 8:30 AM	70.0	50.7	55.1
8:00 AM - 9:00 AM	40.0	27.5	30.3
9:00 AM - 9:30 AM	10.0	5.8	6.7
4:00 PM - 5:00 PM	22.2	52.5	45.6
4:30 PM - 5:30 PM	66.7	52.5	55.7
5:00 PM - 6:00 PM	77.8	47.5	54.4

Note: Percentages may not total because of overlapping time periods.

Source: Giegerich & Associates

Table 28
SUMMARY OF TRAFFIC COUNTER'S OBSERVATIONS
Small Child Care Facilities (7-9 Children)
1986

	<u>Arlington (B)</u>	<u>Arlington (F)</u>	<u>Arlington (G)</u>	<u>Vienna (L)</u>	<u>Arlington (M)</u>
Pick Up and Delivery:					
Very Easy	X		X		X
Moderately Easy		X		X	
Difficult					
Very Difficult					
Safety:					
Very Safe	X	X			X
Safe			X	X	
Unsafe					
Very Unsafe					
Parking:					
Very Easy					
Easy	X		X		X
Fair		X		X	
Difficult					
Very Difficult					
Wait to Pick Up and Deliver:					
Yes					
No	X	X	X	X	X
Traffic Flow Ranking:					
Very Light	X	X		X	X
Intermittant					
Constant			X		
Heavy					

Source: Giegerich & Associates

Table 29
SUMMARY OF TRAFFIC COUNTER'S OBSERVATIONS
Small Child Care Facilities (10-20 Children)
1986

	Riverdale (A)	Silver Spring (C)	Landover (D)	Landover (E)	Potomac (H)	Greenbelt (I)	Fort Washington (J)	College Park (K)	Capitol Heights (M)	Laurel (O)
Pick Up and Delivery										
Very Easy	X	X	X	X	X	X	X	X	X	X
Moderately Easy										
Difficult										
Very Difficult										
Safety*										
Very Safe	X	X		X	X	X	X	X	X	X
Safe			X							
Unsafe										
Very Unsafe										
Parking										
Very Easy	X	X	X	X	X		X		X	
Easy						X		X		
Fair										X
Difficult										
Very Difficult										
Wait to Pick Up or Deliver										
Yes										
No	X	X	X	X	X	X	X	X	X	X
Traffic Flow Ranking										
Very Light	X	X	X		X	X		X		X
Intermittent				X					X	
Constant							X			
Heavy										

* In two locations, there was a dangerous road on one side of the house but the children were delivered in such a way that they were never near it so the location was judged very safe.

Source: Giegerich & Associates

APPENDIX E

COMPARISON OF EXISTING AND PROPOSED DEFINITIONS

by Number of Children
in Child Care Facilities
in Residential Zones

Facility	Small Child Care Home	Large Child Care Home	Small Child Care Center	Large Child Care Center
Number of Children	1-6	7-12	13-20	21+
Montgomery County Zoning Ordinance (Residential Zones) *a	Child Day Care for 6 (Permitted Use) *b 1-6	Child Day Care Center for 7 or more Special Exception		Child Day Care Center for 40 or more
		*c <----->		
Code of Maryland Regulations (Montgomery County Dept. of Health)	For less than 7 children no license required 1-6	Center for 7-20 *d License Required 7-20		Center for 21+ License Required 21+
Montgomery County Dept. of Social Services	Registered Family Day Care Home *e 1-6	State Dept. of Health Licensing replaces regulations for 7+ children <----->		
Proposed Definition	Permitted Use Registered Family Day Care Home	Permitted Use With Conditions License Conditions	Conditional Use Permit License Required	Special Use Permit License Required

FOOTNOTES:

- *a Any size of non-profit facility operating either in buildings or structures on the premises of a religious institution or in publicly owned school buildings, do not require a Special Exception.
- *b In townhouses, it is 1-4 children.
- *c Special Exception starts at 5 in RT Zone (Residential Townhouse). All Special Exceptions for more than 40 children, mandate that the gross area of the property must contain no less than 500 square feet per child.
- *d Currently a "Center" for 7-12 children has different staff and space requirements when the "center" is in a home.
- *e Must be licensed if more than two children are under the age of two or if the provider is not in his/her own home.

APPENDIX F

CRITERIA FOR SUITABLE FACILITIES

I. All Programs

- A. Passable road accessible to emergency vehicles
- B. Building in good repair
- C.
 - 1. Ground level with two means of egress (doors);
 - 2. If Fire Marshal approves 2nd floor or above, for 7 years or over, need approved second means of egress;
 - 3. If basement used by preschoolers:
 - a. Clear inside height of at least 7 feet 6 inches
 - b. Uppermost 3 feet of required clear - inside height must be above the outside ground level
 - c. Heating system keeps floor warm
 - d. No indication of dampness
 - e. Meets requirements for ventilation
 - f. Meets fire codes plus 2 means of egress
 - 4. If basement used by schoolage: (6-16):

All conditions of C1, 2,3,4,5,6, and 7 plus uppermost 1-3 feet or required clear inside height must be above the outside ground level.
- D. Ventilation by approved natural or mechanical means
- E. Water - from approved source. If on private well, must have current well certification from Health Department (inspection of well and water sample).
- F. Sewage disposal - from approved source. If on private septic system, must check with Health Department to insure that septic field is adequate for the licensed capacity.
- G. Drinking water facility - 1:40 ratio - by fountain bottled water or running water with single service cups. Drinking water facility may not be located in toilet room.
- H. Toilets and handinks - 1:15 ratio - toilet rooms equipped with approved natural or mechanical ventilation--in rooms if possible; if not, close by.
- I. Plumbing - must meet applicable State and local codes.
- J. Heating units - must meet State and local fire codes. Portable space heaters prohibited. If wood burning stoves or fireplaces are used as a source of heat, they must be approved by the Fire Marshal. Heating units must be able to maintain 68° at floor level. Furnace areas must be enclosed--fire requirement.
- K. All rooms must have a minimum ceiling height of 7'6" and nothing may protrude lower than 6'8".

- L. No room is to be so large that the farthest point is more than 50 feet from the exit door.
- M. No room shall be located more than 150 feet from a rated exit.
- N. Handrails on inside and outside stairways.
- O. Minimum of 35 square feet per child (net-exclusive of corridors, kitchens, bathrooms).
- P. Storage space for teacher materials, cots, equipment, wheel toys, etc., not in use (sprinkler head may be required in some storage areas).
- Q. Wiring in compliance with electrical codes.
- R. Lighting - rooms illuminated to maintain 20 footcandles at play surfaces and 10 footcandles on stairways and corridors; shields on overhead lights.
- S. Outdoor Playspace - minimum of 75 square feet (can rotate) per child-- free from hazards, well drained. Fencing may be necessary. Some area for wheel toys. Must be adjacent to center and be used exclusively by center.
- T. Food preparation area - if lunch is to be prepared on-site and kitchen stove used for top of stove cooking, approved hood system must be installed and kitchen area must meet fire codes (e.g., 1 hour fire rated separation).

If bag lunch served and only snacks prepared, must have adequate storage for food and a food preparation sink plus space for a refrigerator.
- U. Stairwells used for egress must be enclosed and have doors at top and bottom.
- V. 1) If more than one room is needed for the square footage for a group of children (910 net sq. ft. for 26 schoolage, 700 net sq. ft. for 20 3, 4, 5's, and 425 net sq. ft. for 12 two's and 210 net sq. ft. for 6 infants). The required staff for each group (2) must be able to visually supervise the entire group. Therefore, it is sometimes necessary to remove walls or put doorways in walls. Otherwise, extra staff will be needed.

2) To determine the number of children - a room(s) would hold = $L \times W \div 35$, then deduct 1 to 1.5 children.
- W. If room is paneled, Fire Marshal must know fire rating of paneling to determine if it is acceptable.
- II. If children under 2's in center, area large enough to set up diapering area must be provided in or adjacent to the bathroom.
- III. Infants (under 2 years) separate sleeping space of 35 sq. ft. per child.

APPENDIX G
SURVEY INSTRUMENTS

July 8, 1986 Draft

SURVEY OF
OPERATORS OF SMALL RESIDENTIAL CENTERS

I. Center Profile

A. Administration

1. What is your licensed capacity? _____
2. What is your current enrollment: full time (8 hours or more) _____ part-time _____
Please summarize the nature of part time arrangements

3. Is the center open during public school vacations (including summer)? _____
What is your typical enrollment in the summer _____, during the public school year _____.
4. What are your hours of operation? _____
5. How many employees do you have:
full-time _____ part-time _____
6. Were you a licensed family day care provider before you open your center? _____
7. Have you had difficulty obtaining liability insurance?

B. Real Estate

8. What is the zoning on this site? _____

9. When you obtained a Special Exception, how did the process work? _____

10. How did you find out which government agencies you needed to contact for all of the approvals you needed to become licensed? _____

11. Please tell me which approvals were the most difficult to obtain and why. _____

Were the problems with the process or the regulations themselves? _____

12. What is the size of your lot? _____

13. Roughly, how many square feet are there in your home? _____

How many square feet are licensed for the center? _____

14. Did you make any changes to the exterior of your house or to your yard in order to become a center? _____
Were they required _____ or voluntary _____
What were they? _____

15. Do you live on the premises? _____

16. When was your license issued? _____

C. Transportation

17. How many children are from the immediate neighborhood (10 block radius)? _____
Where do the others live? _____

18. How do children reach the center: by car _____
on foot _____, public transportation _____
other _____

18. Do you provide any transportation? _____
What type _____ for what purpose _____

20. What activities do you typically do with the
children away from the site (specify) _____

How do you transport the children to these locations?

D. Neighborhood

21. How was your center received by the neighbors:

In the planning stage _____

At its opening _____

Now _____

22. What were your neighbors concerns, if any? _____

23. How do the neighbors view the following issues in
regard to your center?

a. Traffic flow _____

b. Parking _____

c. Noise _____

24. How have you addressed concerns expressed by your
neighbors? _____

25. Have you added fencing or landscaping buffers to your property? _____. If yes, please describe them _____

26. Is your trash collection adequate _____
 If not, how have you resolved the problem? _____

27. Where do the children play? _____
 In the play lot only _____
 Throughout your property _____
 At a nearby park _____
 At a nearby school _____
 Other _____
28. Please describe any problems your neighbors have caused to you such as dogs running loose or poorly maintained trees or lawn. _____

E. Expenses

29. In order to develop guidelines for the establishment of other centers, we would appreciate as much detail as you can provide on the costs of developing your center. Can you tell me what your expenses were in the following areas:
- a. Direct approval costs _____
 - b. Landscaping _____
 - c. Sprinkler system _____
 - d. Alterations to meet other codes _____
 - e. Other construction _____
 - f. Indoor equipment _____
 - g. Outdoor equipment _____
 - h. Professional services (architects, lawyers, accountants) _____
31. What were your major unanticipated costs? _____

Thank you

SURVEY OF NEIGHBORS OF SMALL CENTERS

Center: _____ Date _____
Address _____

Hello, my name is _____. I'm doing a survey of neighbors of small residential day care centers for the Maryland National Capital Park and Planning Commission. May I ask you a few questions? It will only take a few minutes.

1. How do you feel about having a child care center in your neighborhood?

_____ Very enthusiastic _____ Positive
_____ Neutral _____ Uncomfortable
_____ Very negative

2. What was your first reaction when your neighbor started the child care center?

3. Do you still feel the same way? _____ Yes _____ No

Please explain: _____

4. Has the child care center raised any other issues among the neighbors?
_____ Yes _____ No _____ Uncertain

If yes, what are they? _____

5. Have there been any changes in the visual aspects of the residence in order to operate the child care center? (e.g. new addition, landscaping)
_____ Yes _____ No _____ Uncertain

If so, are these effects positive? _____ negative? _____
Please explain: _____

6. Has the center caused a significant increase in the noise level of the neighborhood?

☐ Yes ☐ No ☐ Uncertain ☐ I don't know

If yes, please give an example(s) _____

7. Has the child care center caused a change in the flow of traffic in the neighborhood? Please check the statement that seems most true:

☐ The traffic has increased slightly as a result of the center.

☐ The traffic has increased substantially as a result of the center

☐ The traffic hasn't increased at all.

☐ Other (please explain) _____

8. Can you attribute any problems of litter or trash to the operation of the child care center?

☐ Yes ☐ No ☐ Uncertain ☐ I don't know

If yes, please provide an example(s) _____

9. Has there been any vandalism that you could attribute to the operation of the center?

☐ Yes ☐ No ☐ Uncertain ☐ I don't know

If yes, please provide an example(s) _____

10. Has the child care operator maintained adequate control of the children by fencing or supervision, for example?

☐ Yes ☐ No ☐ Uncertain ☐ I don't know

If yes, please comment: _____

11. Has the child care provider maintained the safety of the children by providing adequate supervision or through adequate fencing of the yard?

☐ Yes ☐ No ☐ Uncertain

Please comment _____

12. Has the child care provider been cooperative with the neighbors? For example, did she/he consult with the neighbors before starting the center?

☐ Yes ☐ No ☐ Uncertain

13. Does she/he respond constructively to concerns, complaints?

☐ Yes ☐ No ☐ Uncertain

14. What benefits has the child care center provided, if any, to your neighborhood?

15. Do you think the child care center has had an impact on the resale value of your property at this time?

☐ Yes ☐ No ☐ Uncertain ☐ I don't know

If yes, is it positive? _____ Is it negative? _____ Why? _____

16. Do you have any suggestions to make to other neighborhoods who have or are in process of responding to requests to start child care centers in residential communities?

17. Please check the situation that is most like your own:

☐ I am home most of the day

☐ I am home sleeping during the day
since I work nights

☐ I am home part of the day

☐ Other _____

18. If you are home during the day, please check the situation that is most like your own:

☐ I am a homemaker

☐ I a operate a business out of my home

☐ I am a retired senior citizen

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS QUESTIONNAIRE!!!

July 2, 1986

TRAFFIC COUNT
Surveyor's Instructions

1. Arrive at least five minutes early.
2. Please park far enough from the site so that your car does not have an impact on the study, at least, 3 or 4 houses away.
3. Introduce yourself to Center staff: "I am ____ (name) _____. I am here to do the transportation survey for the study of child day care centers for the Montgomery County Planning Board." (All centers will be called in advance.)
4. Choose a location where you have a good view of arriving, departing, and waiting cars. This will normally be as close to the drop off point as possible.
5. In the first column, enter the number of cars arriving or departing the center including those dropping children off or picking them up at the center.
6. In the second column, enter the number of children dropped off or picked up at the center in series form, i.e., 1, 2, 1, 3.
7. In the third column, enter the total number of people in each car in series form, i.e., 2, 7, 2, 3, etc. (Include the children picked up or dropped off at the center.)
8. In the fourth column enter the greatest number of cars parked, including those on the street, during the period.
9. In the fifth column make a check if, during the period, cars had to wait to get a parking space or to reach the area for dropping off or picking up children. Enter the greatest number of cars waiting during the period.
10. If time allows, ask each driver or adult bringing children to the site by other means, the questions on the survey instrument (form). If this is not possible, hand a copy to each driver and ask them to return it to you in the afternoon. If that is impossible, ask them to return it by mail.
11. Provide a stamped, addressed envelope to each person who needs to mail in the questionnaire. Make a list of their names.
12. After each two hour observation period, fill out the Surveyor's Observations form. Be as specific as possible.

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July 2, 1986

PARENT TRANSPORTATION SURVEY

Center: _____ Date: _____

Time: _____

Hello, my name is _____. I'm doing a survey of transportation issues related to child day care centers for the Montgomery County Planning Board. May I ask you a few questions? It will only take a few minutes. You may also take this form and return it to me this afternoon between 4 and 6 p.m.

1. How did you arrive at this center? By car _____; On foot _____; Other (please specify) _____.
2. Where did you begin this trip? (For example, your home, your office, some other place.) _____
_____ Its nearest intersection and zip code _____.
3. What is the final destination of this trip? (For example, your home, your office.) _____
_____ Its nearest intersection and zip code. _____.
4. Please list all of the stops you have made or plan to make on this trip. _____

5. How many children are you dropping off or picking up at this center? _____
6. Are you a member of a car pool whose purpose is to transport children to and from this site? _____ If so, how many families participate? _____ How many children? _____
Who are the principal drivers (i.e., 3 mothers, one father, and a babysitter)? _____

What are the basic arrangements? (For example, one parent delivers children and one picks them up, or one drives and one pays for this service, etc.) _____

7. On the average, how many trips do you make to or from this center:
Each day? _____
Each week? _____

G-12

8. What time do you normally deliver your children in the morning? _____ How much does this typically vary from day to day in minutes? _____.
9. What time do you normally pick up your child in the afternoon? _____ How much does this typically vary from day to day? _____.
10. Is your schedule different during the public school year? _____ If so, how does it vary? _____
11. Is your schedule different in inclement weather? _____ If so, how does it vary? _____
12. Do you normally use public transportation for all or most of this trip? _____ If so, what type _____ Please rate its convenience: Very convenient _____ Convenient _____ Acceptable _____ Difficult _____ Very difficult _____
13. Please rate the ease of parking at this location: Good _____ Average _____ Difficult _____ Extremely difficult _____
14. Is parking more difficult in the morning _____, the afternoon _____, or always about the same _____?
15. Please rate the degree of safety in delivering or picking up children at this location: Very safe _____ Reasonably safe _____ Unsafe _____ Extremely dangerous _____
16. Please identify any traffic safety issues you feel are important at this location (for example, busy street to cross or convenient parking): _____
17. If you had unlimited choice for the location of your child's day care, would you prefer a center: closer to home _____ closer to work _____ in this location _____
18. How old is your child(ren)? _____.

Thank you.

July 2, 1966

NCPPC - CHILD DAY CARE STUDIES

Traffic Count

Center: _____

Date: _____ AM
PM

Address: _____

Time	1.		2.	3.	4.	5.	6.
	No. Center		No. of Children	Total Vehicle	Maximum No. Cars	Maximum No. of	No. of Children
	Related Cars		Dropped Off/ Picked Up	Occupancy	Parked for Center	Cars in Line to Pickup or Deliver	Arriving By Other Means
	A	B					
	<u>(Arrivals/Departing)</u>						
7:00 - 7:15 AM							
7:15 - 7:30 AM							
7:30 - 7:45 AM							
7:45 - 8:00 AM							
8:00 - 8:15 AM							
8:15 - 8:30 AM							
8:30 - 8:45 AM					149		
8:45 - 9:00 AM							

Center: _____

Date: _____ AM
PM

Address: _____

Time	1.		2.	3.	4.	5.	6.
	No. Center Related Cars		No. of Children Dropped Off/ Picked Up	Total Vehicle Occupancy	Maximum No. Cars Parked for Center	Maximum No. of Cars in Line to Pickup or Deliver	No. of Children Arriving By Other Means
	A	B					
	Arriving/Departing						
4:00 - 4:15 PM							
4:15 - 4:30 PM							
4:30 - 4:45 PM							
4:45 - 5:00 PM							
5:00 - 5:15 PM							
5:15 - 5:30 PM							
5:30 - 5:45 PM							
5:45 - 6:00 PM							
Subtotal							
Total							

July 2, 1986

Traffic Counter's Observations

Center _____ Date _____ AM
PM

1. Please comment on the following issues:

- o Ease of pick up and delivery of children _____
_____.
- o Safety of the children (crossing streets, walking to
the site, etc.) _____
_____.
- o Ease of parking _____
_____.

2. Please rank the general traffic flow on the street for the
whole period:

Very light	_____	Constant	_____
Intermittent	_____	Heavy	_____

3. Was there a time when cars had to wait to reach an
appropriate place to pick up or deliver children? _____

What did people do?

Wait in line	_____	Go around the block	_____
Double park	_____	Other	_____

Describe the situation. (Number of cars involved, reason for
bottlenecks.) _____

4. Were there any other transportation related situations which
seemed noteworthy to you? _____

APPENDIX H

Excerpts From A Covenant: Use Restrictions and Easements

ARTICLE VI

Use Restrictions and Easements

In addition to all other covenants contained herein, the use of the Property and each Lot therein is subject to the following:

Section 1. The Lots shall be used for residential purposes exclusively, and no building shall be erected, altered, placed or permitted to remain on any such Lot other than one used as a Dwelling Unit, except that a professional office may be maintained in a Dwelling Unit, provided that such maintenance and use is limited to the person actually residing in the Dwelling Unit, and, provided, further, that such maintenance and use is in strict conformity with the provisions of any applicable zoning law, ordinance or regulation. As used in this Section, the term "professional office" shall mean rooms used for office purposes by a member of any recognized profession, including doctors, dentists, lawyers, architect and the like, but not including medical or dental clinics. Nothing contained in this Article, or elsewhere in this Declaration, shall be construed to prohibit the Declarant from the use of any Lot or dwelling, or improvement thereon, for promotional or display purposes, or as "model homes," a sales office or the like.

Section 2. Except as provided in Section 1, no part of the Property shall ever be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending or other such non-residential purposes.

Section 3. No sign or billboard of any kind shall be displayed to the public view on any portion of the Property or any Lot, except one (1) sign for each building site, of not more than eighteen inches (18") by twenty-four inches (24"), advertising the Property for sale or rent, except signs used by Declarant to advertise the Property during the construction and sales period.

Section 4. No noxious or offensive activity shall be carried on upon any Lot or any part of the Property, nor shall anything be done thereupon which may be, or may become, an annoyance or nuisance to the neighborhood, or which shall in any way unreasonably interfere with the quiet enjoyment of each of the Owners of his respective Dwelling Unit, or which shall in any way increase the rate of insurance.

APPENDIX I: Recommended Child Care Zoning Definitions and Processes

A ZONING	B SMALL CHILD CARE HOME	C LARGE CHILD CARE HOME	D SMALL CHILD CARE CENTER	E LARGE CHILD CARE CENTER
Facility Size	1-6 children	7-12 children	13-20 children	over 21 children
Residential	Permitted Use Registered/ County Soc.Serv.	Permitted Use (or CUP) Licensed/State Dept. Health	Modified Special Licensed/State Dept. Health	Exception Process Licensed/State Dept.Health

I-I

Source: Urban Interdependencies, Sacramento, California

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Recommended Child Care Zoning Definitions and Processes:

The following is a brief explanation of the reasoning behind the word choices of the preceding matrix:

I. General Goals:

- A. The new process should accurately describe the needed process and be easily understood and quickly implemented by developers, providers, businesspeople, and political bodies.
- B. It should fairly balance the needs of children for adequate care with the property rights of land owners, and do so in a way that encourages and supports the establishment of more child care facilities.
- C. If possible, the same general structure should apply to any size of child care facility in any zone, thus giving developers and providers flexibility and encouragement to meet local needs.
- D. It should be somewhat compatible with at least some of the laws and regulations of other localities; then it might be used as a model for others to refine and implement in their own jurisdictions, thus supporting the establishment of child care facilities in their area.

II. Explanation of Child Care Definitions:

Because child care has been locally governed, there have emerged many terms to describe the same size of child care facilities. For example, if we were to use all of the words which are sometimes used to describe a child care facility for 1-6 children, it might be called a "Small Family Group Child Day Care Home." Needless to say, that gets a bit cumbersome. Therefore, in an attempt to bring some consistency to the subject, as well as ease of understanding and implementation for the planners, developers, businesspeople, and providers involved in the process, the following reasoning was used:

The main goals of labeling the different sizes of child care facilities was clarity and simplicity. Therefore, "Home" was used to describe facilities caring for 1-12 children, and "center" was used to describe facilities caring for 13 or more children. Although 1-12 children do receive care in commercial settings, the bulk of these facilities are in homes. "Family" was omitted because it is somewhat redundant with "Home." "Group" was omitted because it is also used to describe half-way houses for people of various ages, having various needs. "Day" was omitted for two reasons: (a) it is also used in describing care for the elderly, and (b) child care is also needed for children of parents who work flex time and swing shifts.

III. Explanation of Zoning Definitions:

As the following definitions indicate, "common sense" was the main principle used in defining the three levels of the Recommended Zoning Process:

Permitted Use: The zoning on the land permits it to be used for a child care facility; the "use of the land" is compatible with the "zoning of the land," and therefore a permitted use.

Conditional Use Permit: The zoning on the land "permits it to be used" for a child care facility "if it meets certain conditions."

Special Use Permit: The zoning on the land does not presently permit it to be used for a child care facility; therefore, a "Permit" must be acquired to allow this "Special Use" of the land (after a public hearing and vote of approval).

More information on the above can be found in Section V: Recommendations, and in Appendix D: Glossary.

IV. Conclusion:

Local and state codes and traditions may have used different terms to describe the above sizes of centers, and may be a powerful political reality resisting the change of descriptive terminology. The above is only an attempt to make the process easier to understand and implement, and jurisdictions may or may not wish to refine and adopt it. However, the process of changing the local codes might have the added advantage of increasing public awareness of child care needs and resources.

Source: Urban Interdependencies, Sacramento, California

Administrative Support
Brandt Hare

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Charles A. Coleman
Wil Vines